

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 16419 OF 2024

Ketki Jagadish Gokhale

...Petitioner

Versus

The State of Maharashtra

Through Principal Secretary,

Ministry of Education And Sports

And Ors.

...Respondents

Mr. Gaurav Bhawnani i/b Mr. Satish Shukla for the Petitioner.

Mr. Y.D. Patil, A.G.P. for Respondent No.1 -State.

CORAM : G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATE : 13 FEBRUARY 2025

P.C.:

1. We have heard learned counsel for the petitioner and learned A.G.P. for Respondent No.1 -State.

2. It is the petitioner's case that she is a sportswoman and an international player in the sport of "Artistic Gymnastics". She contends that she is eligible and entitled to claim an award for sports persons as declared by the State Government, namely, "**Shiv Chhatrapati Rajya Krida Puraskar**" for her performance in such sports for the years 2019-20, 2020-21 and 2021-22. Her contention is that her application for such award is pending consideration before the respondents, and more particularly before the appropriate committee which has now been constituted by

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respondent nos. 1 to 4.

3. It is on such premise the petitioner's application being not considered prior to the function which is proposed to be held on 19 February 2025 for declaration of the said award, the petitioner has approached this Court praying for the following substantive reliefs :-

"a) That this Hon'ble Court be pleased to issue appropriate writ, order and direction directing the Respondents to forthwith issue "Shiv Chhatrapati Rajya Krida Puraskar" for the year 2019-20 or 2020-21 to the Petitioner for Artistic Gymnastics on such terms as this Hon'ble Court may deem fit and proper.

b) That the Hon'ble Court be pleased to issue appropriate writ, order and direction directing the Respondents to consider that Petitioner is eligible for getting "Shiv Chhatrapati Rajya Krida Puraskar" on such terms as this Hon'ble Court may deem fit and proper.

c) That the pending hearing and final disposal of the present petition all further proceeding in respect of issuance of "Shiv Chhatrapati Rajya Krida Puraskar" be stayed on such terms as this Hon'ble Court may deem fit and proper."

4. We have heard learned counsel for the parties on earlier occasion, and to enable the learned A.G.P. to take instructions, we had adjourned the proceedings for today.

5. The learned A.G.P. having received instructions has placed on record a communication dated 12 February 2025, addressed to him by Mr. Ashok H. Damayyaware, Under Secretary, School Education and Sports Department, Maharashtra State, *inter alia* stating that a Select Committee for the award (Shiv Chhatrapati Krida Puraskar) has been constituted vide a Government Resolution dated 11 February 2025 and accordingly for the

said award, the applications are being invited from sportsperson. It is stated that, thus, the said process is already set into motion by the Commissioner, Sports & Youth Service Directorate, respondent No.4. It is stated that after such applications are received, the same would be scrutinized. A list of candidates would be prepared and displayed on the website inviting objections, for which about two to three days would be granted to raise such objection(s). It is stated that after such procedure, a final list in relation to the proposal for grant of an award will be placed before the selection committee, as also all the proposals which are received, could also be placed before the selection committee. It is stated that the selection committee thereafter would determine the eligible sports persons, who would be conferred the awards. It is stated that for all this procedure, about two to three weeks are likely to be consumed. Hence, the proposed date of 19 February 2025 for declaration of the award would not be acted upon. We accept these statements as made by Mr. Ashok H. Damayyawar, Under Secretary, School Education and Sports Department, as informed to the learned A.G.P. in the said communication dated 12 February 2025, which is taken on record and marked 'X' for identification.

6. In the aforesaid circumstances, we direct that the petitioner's application which is already submitted be considered by the selection committee in accordance with law, for the periods, the petitioner has made her claim. Let the petitioner's application be decided as per the said

procedure proposed to be adopted. In the event, the claim of the petitioner is not accepted, the petitioner be accordingly informed one week prior to declaration of the award. This more particularly considering the nature of the grievances which have come before this Court on such issues in the past, in the case of *Ganesh S. Nawale Vs. The State of Maharashtra (Writ Petition No.13360 of 2023)*, *Viraj V. Landge Vs. The State of Maharashtra & Ors. (Writ Petition No.16123 of 2023)* and *Viraj M. Pardeshi Vs. State of Maharashtra & Ors. (Writ Petition (St.) No.30030 of 2023)*, on which substantive orders were passed by this Court, copies of which are annexed to the petition.

7. With the above observations, keeping open all the contentions of the parties, we dispose of this petition in terms of the above directions. No costs.

8. Parties to act on an authenticated copy of this order.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]