

(2000) 10 GUJ CK 0070

In the Gujarat High Court

Case No : Special Civil Application No. 4467 of 1992

Guj. Adivasi Yuva Vikas Sangh

APPELLANT

Vs

Guj. State Khadi Gramodyog Board

RESPONDENT

Date of Decision : 06-10-2000

Acts Referred:

Citation : (2000) 10 GUJ CK 0070

Hon'ble Judges : R.R. Tripathi, J

Bench : Single Bench

Advocate : Akil Kureshi, for the Appellant; D.D. Vyas, for the Respondent

Final Decision : Disposed Off

Judgement

R.R. Tripathi, J.—The petitioner is a trust registered under the Bombay Public Trusts Act. The same is formed for the benefit of the persons belonging to scheduled tribe in Sabarkantha district and it carries on its activities for the benefit of the persons belonging to scheduled tribe. The petitioner trust applied for loan and subsidy to respondent Board. It is the case of the petitioner that the said demand of the petitioner trust for loan and subsidy was sanctioned by the respondent Board, but thereafter in flagrant violation of rules the amount sanctioned was not paid to the petitioner trust. Hence the present petition was filed.

2. The petitioner had prayed for relief to the effect that,

"to direct the respondent Board to forthwith release the amount of subsidy (Rs.5,11,250/-) and amount of loan (Rs.4,50,000/-)"

Interim relief was also prayed for in the same terms.

3. This Court issued notice on 7.10.1992 and thereafter rule came to be issued on 21.1.1994. Thereafter, the matter is now listed for final hearing. Looking to the facts and circumstances of the case, no effective relief can be granted with regard to the loan amount, which was a subject matter of the year 1991.

4. Learned advocate Mr. Akil Qureshi appearing for the petitioner submitted that interest of justice will be served if the Court directs the respondent Board to consider the application of the petitioner for similar subsidy and/ or loan under the present schemes with due sympathy and in strict adherence to the rules governing the same.

5. The request of the learned advocate for the petitioner is just and reasonable. Hence the same is granted. The respondent Board is directed to consider the application of the petitioner, made under the prevalent schemes for subsidy to which the petitioner is entitled to with due sympathy and in accordance with law. With the aforesaid directions, the present petition is disposed of. Rule is discharged with no order as to costs.