

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2543 OF 2015

Bhaurao Chavan Sahakari Sakhar Karkhana Ltd., Nanded.
Petitioner

Versus

Union of India and others.

Respondents

Mr.P.M. Shah, Senior Advocate with Mr.N.B. Suryawanshi,
Advocate for the petitioner.

Mr. S.B.Deshpande, A.S.G for respondent Nos.1 & 2.

Mr.S.K. Kadam, AGP for Respondent Nos.3 & 4.

CORAM : R.M. BORDE &

P.R. BORA, JJ.

Dated : 9th February, 2015.

PER COURT :-

1] Earlier Writ Petition No.11122 of 2014 raising similar grievance was presented by one Manjra Shetkari Sahkari Sakhar Karkhana Limited. The Division Bench of this Court disposed of the petition with following observations.

" (3) It is not in dispute that, the petitioner has not made any representation and crushing season has already started. Only explanation given for delayed approach is in paragraph No.14 of the writ petition, which reads as under:-

" Although impugned order is dt.14/2/2014, thereafter the matter was considered by the Committee of the Ministries on 31/7/2014 based on which Hon'ble Chief Minister issued directions that FRP fixed by virtue of

impugned order is required to be paid. Thereafter in order to collect date of file instant petition certain time was consumed. Thus, basically there is no delay to file instant petition, however, delay if any, needs to be condoned in the interest of justice. If delay is not condoned, then the petitioner would be put to inconvenience and hardship and may lose its right to challenge impugned order. "

(4) We find the reason insufficient. We are not inclined to take cognizance of such dispute for the first time in writ jurisdiction. Writ Petition is dismissed. No costs. "

2] The petitioner contends that he has already made representation to the Secretary, Government of India on 04.01.2015 and no cognizance thereof is taken.

3] Without entering into the merits of the contentions raised by the petitioner, we deem it appropriate to dispose of this petition with directions to Secretary, Government of India to consider said representation and pass appropriate orders, as deemed necessary, on consideration of merits of such contentions, as expeditiously as possible and preferably within a period of eight weeks from today.

4] With the direction as above, writ petition is disposed of.

(P.R. BORA, J)

(R.M.BORDE, J)