

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO. 2327 OF 2015

The Agriculture Produce Market Committee
Rahata

.. PETITIONER

VERSUS

The State of Maharashtra
& others

.. RESPONDENTS

Mr. A.V. Hon, advocate for petitioner.
Mr. S.G. Karlekar, AGP for the State.

**WITH
WRIT PETITION NO. 7232 OF 2013**

Arjun s/o Panditrao Khotkar
& others

.. PETITIONER

VERSUS

The State of Maharashtra
& others

.. RESPONDENTS

Mr. A.B. Kale, advocate for petitioner.
Mr. S.G. Karlekar, AGP for the State.
Mr. T.M. Tandale, advocate for respondent no. 5.

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**CORAM : R.M. BORDE &
V. K. JADHAV JJ.**

DATE : 29th APRIL, 2015.

PER COURT :

1. It is not a matter of dispute that inspite of issuance of orders in respect of appointment of administrator on 04.03.2015 and 28.02.2015 respectively, the charge has not been assumed by the administrator and the managing committee is administering the affairs of the society.

2. In this view of the matter, these petitions can be disposed of with direction to respondents not to act upon the orders of appointing

administrator issued earlier and to proceed to take steps for holding elections of APMC in adherence to the directives issued by the Division Bench of this Court, Bench at Nagpur in Writ Petition No. 3781/2014 decided on 03.12.2014 as well as undertaking given to the Court in Writ Petition No. 11202/2014 decided on 21.01.2015. Statement made on behalf of respondent no. 5 that the directives issued by Division Bench at Nagpur are uniformly applicable and the steps to elect managing committee would be taken immediately after holding of elections to the primary co-operative societies whose elections are due, within the time allowed by the Division Bench of this Court, at Nagpur. The Division Bench at Nagpur has directed the State Government to conclude elections of APMCs in which elections to the agricultural market co-operative societies are concluded, within a period of three months and, in respect of other APMCs, within a period of six months. The State Government shall have to take steps for holding elections for electing managing committee of APMCs in accordance with the Maharashtra Agriculture Produce Marketing (Development and Regulation) Act, 1963 and rules framed thereunder. The present managing committee, managing the affairs of the society shall not take any major policy decision nor shall incur expenditure except for satisfying the statutory liability and payment of salary to the employees. In view of directions as above, both the writ petitions are disposed of.

(V.K. JADHAV)
JUDGE

(R. M. BORDE)
JUDGE