

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

WRIT PETITION NO. 9455 OF 2015

Padmaraj s/o Mohan Gadade

.. PETITIONER

VERSUS

The State of Maharashtra
& others

.. RESPONDENTS

Mr. A.A. Mukhedkar, advocate for petitioner.

Mr. D.R. Kale, AGP for the State.

Mr. Ganesh Patil, advocate for respondent no. 3.

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CORAM : R.M. BORDE &

P. R. BORA, JJ.

DATE : 15th OCTOBER, 2015.

PER COURT :

1. This Court need not issue any direction in instant writ petition in view of the corrigendum issued by the State Government on 12.10.2015 thereby modifying the earlier order dated 23.07.2015 directing postponement of the elections of APMCs in the State for a period of six months. By virtue of corrigendum dated 12.10.2015, such of those market committees who have completed more than six years of tenure as on 27.01.2016 are excluded from the purview of order issued on 23.07.2015 directing postponement of election.

2. In the instant matter, it has been pointed out that the elections to the APMC were held on earlier occasion on 21.11.2008 and the prescribed period of five years has come to an end on 20.11.2013. Since the period of seven years has lapsed from the date of earlier election, the order issued by the State Government on 23.07.2015 shall not apply to the concerned APMC.

3. Our attention is invited to order issued in Writ Petition no. 7033/2015. Aforesaid writ petition was disposed of in view of order issued by the State Government on 23.07.2015. However, since the said order issued by the Government on 23.07.2015 stands modified by virtue of corrigendum issued on 12.10.2015, disposal of aforesaid writ petition shall not be an impediment for the State Government in holding elections. Writ petition is accordingly disposed of.

(P.R. BORA)
JUDGE

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(R. M. BORDE)
JUDGE