

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION (ST.) NO.9148 OF 2015
IN
WRIT PETITION NO.2444 OF 2015

Mahadev D. Kanase
& Another .. Applicants.

In the matter between

Kumuda Sugar & Agro Products Ltd. .. Petitioner.

V/s.

The State of Maharashtra
& Others .. Respondents.

Mr. V. D. Patil i/b. Mr. Nikhil Chavan, for the Applicants.
Mr. P. S. Dani, Sr. Advocate i/b. Mr. Prashant Bhavake, for the Petitioner.
Mr. A. D. Kango, AGP, for Respondent Nos.1 to 3.

CORAM: M.S.SONAK,J.

DATE : 13th APRIL, 2015.

PC:-

Heard the learned Counsel for the parties.

2 The learned Counsel for the parties, on taking instructions from their respective parties including Applicant herein, makes a statement that they shall have no objection if clause 6 from the order dated 12th March, 2015 is deleted. Accordingly, the said clause stands deleted.

3 Further, in so far as payments for the purposes beyond 16th January, 2015 are concerned, it shall be open to the authorities to take

appropriate action in terms of the Sugarcane (Control) Order 1966. The learned AGP states that action in this regard is already in process and the matter has been posted on 15th April, 2015 before the Commissioner of Sugar i.e. Respondent No.2 in the main petition. Accordingly, all parties to attend the office of the Commissioner of Sugar on 15th April, 2015 at about 11.00 a.m. without necessity of any further notice from the said Commissioner so that the issue, which has arisen, is sorted out in terms of the Sugarcane (Control) Order, 1966.

4 The order dated 12th March, 2015 to stands modified accordingly. The Commissioner of Sugar is directed to dispose of the proceedings as expeditiously as possible and in any case, within 10 days from today.

5 During this period of 10 days, there shall be restraint upon the original Petitioner from selling sugar molasses and bagasse.

6 Civil Application is accordingly disposed of.

(M.S.SONAK,J.)