

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 5953 OF 2015

Mr. Sanjay Sayaji Pawar & others	...	Petitioners
V/s.		
The Secretary, The Manmad APMC & ors.	...	Respondents

Mr. R.N. Gite for the petitioners.
Mr. Vikas Mali, AGP for the State.

**CORAM : NARESH H. PATIL AND
S.B. SHUKRE, JJ.**

24th July, 2015.

P.C.

The petitioner's contention is that based on enquiry report, the respondents deliberately failed to initiate appropriate action against the managing committee of the APMC, Manmad. It is submitted that managing committee's terms expired in the month of April, 2015. The enquiry report Exhibit 'C' was ready on 31st March, 2015.

2. Affidavit-in-reply has been filed by Mr. Sunil Bansode, District Dy. Registrar, Co-operative Societies, Dist-Nashik. It is submitted that term of the managing committee is over. Therefore, in view of the provisions of Section 53 of the Maharashtra Agricultural Produce Marketing (Development & Regulation) Act, 1963 an enquiry has been initiated. Mr. G.G. Balsane, Dy. Registrar, Co-operative Societies, Malegaon

Dist.Nashik is appointed as enquiry officer.

3. We observe that the enquiry officer is entitled to consider the enquiry report which was already prepared and submitted by the Dy. Registrar, Co-operative Societies, Malegaon, annexed as Exhibit 'C'. In addition to the said report, the enquiry officer is entitled to take appropriate steps. The respondents shall take decision expeditiously. Learned Counsel for the petitioner apprehends that new elections are likely to take place shortly. Before the election programme is declared, the Counsel expects the decision to be rendered by the enquiry officer.

4. Learned AGP on instructions submits that the enquiry officer will take appropriate decision within two months from today. Learned AGP also submits that an administrator has been appointed whose term will expire in October, 2015.

5. With these observations, Writ Petition is disposed of.

(S.B. SHUKRE, J.)

(NARESH H. PATIL, J.)

L.S. Panjwani, P.S.