

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6104 OF 2015

Smt. Meenakshi Nivrutti Deore etc. .. Petitioners  
Versus  
The District Deputy Registrar & Ors. .. Respondents

Mr.S.P.Kadam i/b. Mr.P.D.Jadhav for petitioners  
Mr.A.Y.Sakhare, Senior Advocate with Mr.A.B.Vagyani, GP with  
Mr.Vikas Mali, AGP for State  
Mr.A.D.Sale for respondent Nos.7, 10, 15, 16, 18A and 20

CORAM : NARESH H.PATIL &  
S.B.SHUKRE, JJ.

DATE : 14<sup>th</sup> July 2015.

P.C.

1] On behalf of respondent Mr.Sadashiv M. Shivdas, Joint  
Secretary, Marketing and Cooperation has filed affidavit in reply.

The deponent has stated in para 4 as under:-

“4. Thus, considering the position of law, it is clear that the prayer of the petitioner seeking a writ of mandamus for holding elections of the respondent No.3 is premature and ought not to be granted and that no order has been passed by the State and that the petitioners have approached the Hon'ble Court only on apprehension.”

2] Learned Senior Counsel on instructions makes a statement that in accordance with the affidavit in reply filed and the instructions received from the State, the Respondents have not taken any decision as apprehended by the petitioners that the administrative board would be replaced by another board. In this view of the matter, we find that the petition can be disposed of.

3] At this stage the learned counsel for the petitioner submits that in case the State passes an adverse order in near future, the petitioner shall not be left remediless. The counsel therefore prays that in case of such situation emerging, the petitioner be granted some time to resort to appropriate remedies as permissible in law.

4] In view of the reply filed and submissions advanced, we pass following order:-

(a) petition stands disposed of in view of the statement made in the affidavit in reply and the submissions advanced by the State;

(b) in case the order passed is adverse to the present administrative board, then such decision shall not take effect for three weeks from the date of communication of such order to present administrative board.

(c) All contentions are kept open.

It is clarified that we have not expressed any opinion on the merits of the petition. Interim order is vacated.

( NARESH H. PATIL, J.)

(S.B.SHUKRE, J)