

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

WRIT PETITION NO. 11578 OF 2015

Prashant S. Arkhade .. Petitioner

V/s.

State of Maharashtra & Ors. .. Respondents

.....
Mr. Pritesh K. Bohade, Advocate for the Petitioner.
Mr. Vikas Mali, AGP for the Respondent – State.

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

DATED : DECEMBER 1, 2015.

P.C.

The petitioner alleged that certain irregularities are going on in administration of A.P.M.C. Yeola, District – Nashik. It is alleged that employees of the choice of the office bearers are appointed in A.P.M.C. Yeola, without any requirement. It is alleged that certain lands are purchased in the name of A.P.M.C. Yeola, without following appropriate procedure. It is submitted that the election to constitute A.P.M.C. Yeola, is to be held very soon. According to the counsel, the election programme will commence from 12th of this month. It is submitted that an objection was raised before the Election Commissioner regarding membership of certain persons. By an order dated 15th October,

2015, the objections raised by the petitioner have been rejected. We have perused the relevant documents and the impugned order. Rule 36 of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 refers to voters list. Rule 88 of the said Act refers to determination of validity of election. It seems that the voters list is finalized. The counsel submits that petitioner is not voter in the election and he is farmer. As he is interested in proper administration of A.P.M.C. Yeola, he approached this Court. Some representations made to the authorities are also enclosed to this petition.

2 As the election process is already set in motion, we are not inclined to interfere in the matter on the allegations made by the petitioner. The petitioner is not claiming to be a voter. Even otherwise, the election mechanism prescribes alternate statutory remedies.

3 With respect to other general allegations, as noted above, the petitioner is already pursuing with the authorities. Therefore, we are not inclined to interfere in the matter. The petition is disposed of.

(S. B. SHUKRE, J.)

(NARESH H. PATIL, J.)