

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 5433 OF 2012.

Jesamal Arjundas Motwani .vs. State of Maharashtra & others

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr. V.R. Thote, Advocate for petitioner,
Mr. M.K. Pathan, Assistant Government Pleader for respondent nos.
1 , 3 & 4.
None for respondent no.2.

CORAM : B.P. DHARMADHIKARI & S.B. SHUKRE, JJ.

DATED : APRIL 8, 2015.

Heard the learned Counsel for the parties.

While disposing of Civil Application No. 86/13 filed by A.P.M.C., Armori on 3.4.2013, this Court has taken note of the contention that proposal for bifurcation of APMC was rejected by State Government in 2001 itself. At that time, there was another application filed, i.e. Civil Application No. 46/13 for taking action for perjury against present petitioner.

After recording statement and as petitioner had chosen not to appear, we disposed of both the applications as State Government then was supporting the case of APMC, Armori and did not oppose recall of order dated 17.12.2012.

By said order dated 17.12.2012 a direction was given in Writ Petition No. 5433/12 to dispose of representation/proposal for bifurcation of APMC within six months. In this situation, it is apparent that if the facts disclosed were to be refuted, petitioner ought to have filed appropriate affidavit after 3.4.2013. That has not been done. Shri

Thote is seeking time of two weeks to obtain further instructions from petitioner in the matter.

In this situation, as we find no substance in the petition, we dispose of the same. No costs.

Judge

Judge

J.