

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 10510 OF 2016

Ishwar Kadu Choudhari

...PETITIONER

versus

The State of Maharashtra and others

...RESPONDENTS

.....
Mr. Ashwin V. Hon, Advocate for petitioner
Mr. S.S. Dande, AGP for respondents No. 1 to 3
.....

**CORAM : R.M. BORDE AND
K.K. SONAWANE, JJ.**

DATED : 14th OCTOBER, 2016.

Order :-

1. The appeal bearing No. 436 of 2016 presented by the petitioner against the order dated 25-07-2016 passed by the Assistant Registrar, Co-operative Societies, Pachora, Ta. Pachora, District Jalgaon is pending consideration before the respondent - Divisional Joint Registrar, Co-operative Societies, Nashik Division Nashik. The petitioner contends that though application for grant of stay has been tendered on 23-09-2016, yet the same has not been decided by the appellate authority, which is likely to result in denying the opportunity to the petitioner to participate in the process of election commenced for electing the Managing Committee to Agricultural Produce Market Committee, Pachora (for short "APMC"), Pachora. It is informed that the last date prescribed for presentation of nomination paper is 17-10-2016.

2. In the circumstances, it shall be appropriate for the appellate authority to decide the appeal bearing No. 436 of 2016 itself, before the prescribed date.

3. Learned Assistant Government Pleader appearing for respondents No. 1 to 3, on instructions, informs that the appellate authority would hear arguments of the petitioner tomorrow i.e. 15-10-2016 at 3.00 p.m and thereafter would deliver the judgment before the prescribed date for presentation of nomination form. The appellant – petitioner herein also agrees to co-operate the appellate authority in final disposal of the appeal. The petitioner undertakes to communicate date prescribed for hearing of the appeal to respondents No. 1 to 3 in appeal by issuing private notice i.e. by fax, e-mail, RPAD, courier, personal service or by any other legally acceptable mode.

4. With directions as above, writ petition stands disposed of.

5. The parties to act upon authenticated copy of this order.

[K. K. SONAWANE, J.]

[R.M. BORDE, J.]

MTK