

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

WRIT PETITION NO.2632/2016

Gulabrao Eknath Khante and others

...Versus...

**The State of Maharashtra, through its Secretary, Co-operation and Marketing
Department, Mantralaya, Mumbai – 32 and others**

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.D. Dangore, Advocate for petitioners
Mrs. K.R. Deshpande, AGP for respondent nos.1 and 2

**CORAM : SMT. VASANTI A. NAIK AND
MRS. SWAPNA JOSHI, JJ.**

DATE : 17.06.2016

The learned Counsel for the petitioners states that the Chairman of the Agricultural Produce Market Committee has refused to accept the resignations tendered by the petitioners on the ground that the writ petition in the matter of the Committee is pending.

Mrs. Deshpande, the learned Assistant Government Pleader appearing on behalf of the State Government states by referring to the Provisions of Section 52B of the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963 that the petitioner has an alternate remedy of filing an appeal against the order of the Chairman of the Agricultural Produce Market Committee. It is stated that instead of availing

the said remedy, the petitioner has directly approached this Court.

We uphold the preliminary objection raised on behalf of the State Government and refuse to entertain the writ petition. The petitioner is free to avail the alternate remedy.

The writ petition is disposed of with no order as to costs. The points raised in the petition are kept open.

JUDGE

JUDGE

Wadkar