

IN THE COURT OF JUDICATURE AT BOMBAYNAGPUR BENCH, NAGPUR**WRIT PETITION NO. 2744 /2016**(Jeevan Babusingh Jadhav and another vs. The District Deputy Registrar, Cooperative Societies,
Yavatmal and another)

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

Court's or Judge's order

.....
 Mr. S.Paliwal, Advocate for the petitioners

Mr.Ambarish Joshi, Asst.Government Pleader for respondents

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

DATED : **21st July, 2016**

Heard.

By this Writ Petition, the petitioners challenge the action on the part of the respondents of appointing the Administrator on the Agriculture Produce Market Committee, Arni. The petitioners have sought their continuation on the Market Committee, till the elections to the Market Committee are concluded.

The petitioners, who are the members of the Market Committee and their tenure was to expire on 5th May 2016. It is stated that though the petitioners had made an Application for extension of the term of the Market Committee by a period of six months, as per Section 14 (3) of the Agriculture Produce Marketing Regulation Act, the said Application was not decided and the State Government appointed an Administrator on the Committee, by the order dated 6th May, 2016.

When this Petition came up for hearing before this Court on 10.5.2016, while issuing notice to the respondents, by an interim order, the impugned order appointing an Administrator was stayed until further orders. In view of the stay, the petitioners continue to be the members of Market Committee.

Shri Ambarish Joshi, the learned Assistant Government Pleader appearing on behalf of the respondents states on instructions, that the election to the Market Committee would be concluded within a period of two months from 29th July 2016, on which date, the voters list would be published. It is stated that in the circumstances of the case, an appropriate order may be passed.

Since there are no allegations in respect of any illegalities or irregularities committed by the petitioners and since a stay to the appointment of the Administrator is operating in favour of the petitioners from 10.5.2016, without going into the merits of the matter, it would be necessary to dispose of the Writ Petition by accepting the statement made on behalf of the State Government that the elections to the Market Committee would be concluded within two months from 29th July 2016. In the circumstances of the case, since the stay is operating from 10.5.2016, the petitioners would continue as Members on the Market Committee, till the elections are concluded.

Hence, we dispose of the Writ Petition with a direction to the State Government to conclude the elections to the Market Committee on or before the 10th of October 2016. The petitioners could continue as members of the Market Committee till the elections are concluded.

Order accordingly. No costs.

JUDGE

JUDGE

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C E R T I F I C A T E

“ I certify that this Judgment/Order uploaded is a true and correct copy of original signed Judgment/Order.”

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