

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

WRIT PETITION NO.2877/2016

Janardhan s/o Pralhad Bhoier and others

...Versus...

The State of Maharashtra, Through its Secretary Ministry of Textile and
Marketing Dept., 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 M.V. Samarth, 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 : 13.06.2016

By this writ petition, the petitioners – Members of the Managing Committee of Agricultural Produce Market Committee have sought a direction to the State Government to exercise the powers under Section 14 (3 A) of the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963 and postpone the elections to the Market Committee by six months. The petitioners seek an extension of the term of the existing body for the extended period of six months.

Mrs. Deshpande, the learned Assistant Government Pleader appearing for the respondent nos.1 and 2 states that during the pendency of the writ petition the election programme is declared and the elections to the concerned Market Committee are scheduled on 31.7.2016. It is stated that the petitioners

cannot seek the postponement of the elections by taking recourse to the provisions of Section 14 (3 A) of the Act.

In the circumstances of the case, we are not inclined to grant the relief sought by the petitioners. It appears that in a writ petition filed by some of the Agricultural Produce Market Committees or their Members, a direction was issued to the State Government to hold the elections to the Market Committees within a time-frame. As per the directions of this Court, the State Government was required to hold the elections to the Market Committee in this case on or before 3.6.2016. However, the elections could not be conducted for the reasons stated by the State Government in the application filed by it for extension of time to hold the elections. It is informed that the time to hold the elections is extended by a period of three months, that would expire on 3.9.2016. The elections are being held during the extended term.

In view of the aforesaid, we dismiss the writ petition with no order as to costs.

JUDGE

JUDGE