

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

WRIT PETITION NO. 4600 OF 2016

(Bhandara Zilla Sahakari Krishi Audyogik Sangh Limited thr. its Manager Shri Bharat Gyaniram Thakre vs. Maharashtra State Cooperative Marketing Federation Ltd., Bhandara Branch thr. District Marketing Officer, Bhandara & Anr.)

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

Court's or Judge's orders.

Shri S. Paliwal, Advocate for the petitioner.
Shri N.R. Rode, Assistant Government Pleader for
respondent No. 2.

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**CORAM : DR. MANJULA CHELLUR, C.J. &
B.P. DHARMADHIKARI, J.
OCTOBER 18, 2016.**

The writ petitioner is before us, aggrieved by stoppage of providing a center for purchase of paddy, insofar as the first respondent is concerned. In the earlier round of litigation, the petitioner approached this Court contending that it being a Class – A member of Respondent No. 1 – Society and without any show cause or inquiry of any nature, suddenly black listed the petitioner – society.

This Court after hearing both the parties, was of the opinion that the first respondent ought not to have black listed the petitioner by virtue of impugned order thereunder, without hearing the petitioner. Accordingly, the writ petitions were allowed and impugned orders were quashed and set aside. However, the observation was made that the respondent – Federation is free to take appropriate action against the petitioners in accordance with law.

Subsequent to disposal of those writ petitions, according to the petitioner, no inquiry or any kind of hearing was made but, however, there is no allocation of center for supply of paddy and on the other hand centers are assigned to Bahu-uddeshiya Society, that too taking them as nominal member and not as a permanent member like the petitioner society – A class.

Apparently, a representation since has been addressed to the District Marketing Officer, Bhandara, by letter dated 21.10.2015. Unfortunately, it is not the authority that takes a call on representation of the petitioner society and it is first respondent who has to take a decision.

In the light of above observations and reasoning, we direct the petitioner society to give a detailed representation with all annexures, if any, addressed to first respondent – Federation, within a period of two weeks from today. The first respondent – Federation shall inquire into the grievance of the petitioner society and dispose of the representation within a period of four weeks thereafter.

Writ Petition is disposed of accordingly. There shall be no order as to costs.

CHIEF JUSTICE

B.P. DHARMADHIKARI, J.

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