

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

WRIT PETITION NO.4160/2015

Rajkumar s/o Yashwant Malve

...Versus...

Maharashtra State Co-operation Marketing and Textile Department, Pune
through its Secretary 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 S.G. Joshi, Advocate for petitioner
Ms Tajwar Khan, AGP for respondent nos.1 and 2
Shri A.M. Tirukh, Adv. h/f Shri D.S. Patil, Adv. for respondent no.4

CORAM : SMT. VASANTI A NAIK AND
KUM. INDIRA JAIN, JJ.

DATE : 15.09.2016

By this writ petition, the petitioner challenges the notice, dated 14.5.2015 asking the petitioner to explain – give his say in regard to the complains made for the removal of the petitioner as a Secretary of the Market Committee.

Ms Khan, the learned Assistant Government Pleader appearing on behalf of the respondent nos.1 and 2 raises a preliminary objection to the tenability of the writ petition. It is stated that the petition is premature as no action is taken against the petitioner by the communication, dated 14.5.2015 and the petitioner is merely asked to submit his explanation-reply to the complaints made by the Chairman, Agriculture Produce Marketing Committee. It is stated that since no action is taken

against the petitioner by the impugned communication, the writ petition is premature.

We uphold the preliminary objection raised on behalf of the respondent nos.1 and 2 and decline to entertain the writ petition. Since the petitioner has not tendered his explanation to the notice, dated 14.5.2015, the petitioner may tender his explanation to the Assistant Registrar Cooperative Societies, Akot, within three weeks.

The writ petition stands disposed of with no order as to costs.

JUDGE

JUDGE

Wadkar

C E R T I F I C A T E

I certify that this order uploaded is a true and correct copy of original signed order.

Uploaded by : S.S. Wadkar, P.S.

Uploaded on : 16/09/2016