

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

PUBLIC INTEREST LITIGATION NO. 18 OF 2016

SHRIMANT SAHEBRAO PAWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr. V.S. Undre, Advocate for the petitioner
Mr. D.R. Kale, A.G.P. for the respondent/State
Mr. A.T. Jadhavar, Advocate for respondent no.6

**CORAM : S.C. DHARMADHIKARI &
MANGESH S. PATIL, JJ.
DATE : 25-07-2017**

ORAL ORDER :

1. This Public Interest Litigation is by the petitioner. He is an Advocate and Social Worker and resident of Kallamb, Tq. Kallamb, District – Osmanabad. The petitioner complained that sixth respondent is the Agriculture Produce Market Committee, Kallamb and established under the Maharashtra Agriculture Produce Marketing (Development and Regulation) Act, 1963 (for short “**A.P.M.C. Act**”).

2. The State has allotted land so as to set up an Agriculture Produce Market at Kallamb. There are several Shops / Gallas constructed and which could have been allotted for carrying on

business or activities as permitted under the A.P.M.C. Act. and the Rules. The complaint is that contrary to the user permitted by this Act and the Rules, the allottees of the Shops/Gallas have commenced business of selling liquor. The names of the persons, who have set up Beer Bar are set out at page 49 of the paperbook.

3. It is on such a grievance that this Court directed the affidavits to be filed by both the Statutory Authorities and the A.P.M.C. An affidavit is filed on behalf of the respondent no.4 and 5. In that affidavit, it is stated that respondent no.6 – Market Committee resolved on 04/03/2017 that all those Shops (Beer Bar / Wine Shop) should be closed down. Thereafter, the licences also have not been renewed.

4. The Agriculture Produce Market Committee has filed an affidavit, in which as well the Committee has stated that each of these Shops have been closed down. Now, there is no question of anybody being permitted to set up the Shops. It is in these circumstances that, it is stated that the purpose of the Public Interest Litigation is served.

5. The position as emerging from these affidavits, having been accepted, we do not think that anything further requires to be done in this Public Interest Litigation.

6. Public Interest Litigation is disposed of.

[MANGESH S. PATIL]
JUDGE

[S.C. DHARMADHIKARI]
JUDGE

arp/