

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

WRIT PETITION NO.1591 OF 2017

1. Yogeshwari Sugar Industries Ltd.,
Laxminagar Limba, Tq. Pathari,
Dist. Parbhani, through its Chairman,
Ashok Hansanand Samat,
Registered Office : Vivekanand Nagar,
Parli Vaijnath, District Beed.
2. Ratneshwar Trambakappa Kore
Managing Director,
Yogeshwar Sugar Industries Ltd.,
Laxminagar Limba, Tq. Pathari,
Dist. Parbhani, through its Chairman
Registered Office : Vivekanand Nagar,
Parli Vaijnath, District Beed. ... PETITIONERS

VERSUS

1. Mohan Vitthalrao Kulkarni,
Age 53 years, Occ. Agri.,
R/o at Nila, Tq. Sonpeth,
District Parbhani.
2. Commissioner of Sugar,
Maharashtra State,
Sakhar Sankul, Sivajinagar,
Pune - 5 ... RESPONDENTS

.....
Shri Sachin S. Deshmukh, Advocate for petitioners
Shri N.S. Bhosle, Advocate for respondent No.1
Shri A.V. Deshmukh, A.G.P. for respondent No.2
.....

WITH

WRIT PETITION NO.1592 OF 2017

1. Yogeshwari Sugar Industries Ltd.,
Laxminagar Limba, Tq. Pathari,
Dist. Parbhani, through its Chairman,
Ashok Hansanand Samat,

Registered Office : Vivekanand Nagar,
Parli Vaijnath, District Beed.

2. Ratneshwar Trambakappa Kore
Managing Director,
Yogeshwar Sugar Industries Ltd.,
Laxminagar Limba, Tq. Pathari,
Dist. Parbhani, through its Chairman
Registered Office : Vivekanand Nagar,
Parli Vaijnath, District Beed. ... PETITIONERS

VERSUS

1. Kaushik Manikrao Jogdand
Age 49 years, Occ. Agri.,
R/o Post Narwadi, Tq. Sonpeth,
District Parbhani.
2. Commissioner of Sugar,
Maharashtra State,
Sakhar Sankul, Sivajinagar,
Pune - 5 ... RESPONDENTS

.....

Shri Sachin S. Deshmukh, Advocate for petitioners
Shri N.S. Bhosle, Advocate for respondent No.1
Shri A.V. Deshmukh, A.G.P. for respondent No.2

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WITH

WRIT PETITION NO.1593 OF 2017

1. Yogeshwari Sugar Industries Ltd.,
Laxminagar Limba, Tq. Pathari,
Dist. Parbhani, through its Chairman,
Ashok Hansanand Samat,
Registered Office : Vivekanand Nagar,
Parli Vaijnath, District Beed.
2. Ratneshwar Trambakappa Kore
Managing Director,
Yogeshwar Sugar Industries Ltd.,
Laxminagar Limba, Tq. Pathari,
Dist. Parbhani, through its Chairman
Registered Office : Vivekanand Nagar,
Parli Vaijnath, District Beed. ... PETITIONERS

VERSUS

1. Rameshwar Sopanrao Jogdand
Age 55 years, Occ. Agri.,
R/o Post Narewadi, Tq. Sonpeth,
District Parbhani.
 2. Commissioner of Sugar,
Maharashtra State,
Sakhar Sankul, Sivajinagar,
Pune - 5
- ... RESPONDENTS

.....

Shri Sachin S. Deshmukh, Advocate for petitioners
Shri N.S. Bhosle, Advocate for respondent No.1
Shri A.V. Deshmukh, A.G.P. for respondent No.2

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W I T H

WRIT PETITION NO.1595 OF 2017

1. Yogeshwari Sugar Industries Ltd.,
Laxminagar Limba, Tq. Pathari,
Dist. Parbhani, through its Chairman,
Ashok Hansanand Samat,
Registered Office : Vivekanand Nagar,
Parli Vaijnath, District Beed.
 2. Ratneshwar Trambakappa Kore
Managing Director,
Yogeshwar Sugar Industries Ltd.,
Laxminagar Limba, Tq. Pathari,
Dist. Parbhani, through its Chairman
Registered Office : Vivekanand Nagar,
Parli Vaijnath, District Beed.
- ... PETITIONERS

VERSUS

1. Radhabai Rameshwar Jogdand
Age 49 years, Occ. Agri.,
R/o Post Narwadi, Tq. Sonpeth,
District Parbhani.
 2. Commissioner of Sugar,
Maharashtra State,
Sakhar Sankul, Sivajinagar,
Pune - 5
- ... RESPONDENTS

.....

Shri Sachin S. Deshmukh, Advocate for petitioners
Shri N.S. Bhosle, Advocate for respondent No.1
Shri A.V. Deshmukh, A.G.P. for respondent No.2

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W I T H

WRIT PETITION NO.1596 OF 2017

1. Yogeshwari Sugar Industries Ltd.,
Laxminagar Limba, Tq. Pathari,
Dist. Parbhani, through its Chairman,
Ashok Hansanand Samat,
Registered Office : Vivekanand Nagar,
Parli Vaijnath, District Beed.
2. Ratneshwar Trambakappa Kore
Managing Director,
Yogeshwar Sugar Industries Ltd.,
Laxminagar Limba, Tq. Pathari,
Dist. Parbhani, through its Chairman
Registered Office : Vivekanand Nagar,
Parli Vaijnath, District Beed. ... PETITIONERS

VERSUS

1. Shridhar Pandurang Jogdand
Age 44 years, Occ. Agri.,
R/o Post Narwadi, Tq. Sonpeth,
District Parbhani.
2. Commissioner of Sugar,
Maharashtra State,
Sakhar Sankul, Sivajinagar,
Pune - 5 ... RESPONDENTS

.....

Shri Sachin S. Deshmukh, Advocate for petitioners
Shri N.S. Bhosle, Advocate for respondent No.1
Shri A.V. Deshmukh, A.G.P. for respondent No.2

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W I T H

WRIT PETITION NO.1597 OF 2017

1. Yogeshwari Sugar Industries Ltd.,
Laxminagar Limba, Tq. Pathari,
Dist. Parbhani, through its Chairman,
Ashok Hansanand Samat,
Registered Office : Vivekanand Nagar,
Parli Vaijnath, District Beed.
2. Ratneshwar Trambakappa Kore
Managing Director,
Yogeshwar Sugar Industries Ltd.,
Laxminagar Limba, Tq. Pathari,
Dist. Parbhani, through its Chairman
Registered Office : Vivekanand Nagar,
Parli Vaijnath, District Beed. ... PETITIONERS

VERSUS

1. Anant Ganpatrao Jogdand
Age 22 years, Occ. Agri.,
R/o Post Narwadi, Tq. Sonpeth,
District Parbhani.
2. Commissioner of Sugar,
Maharashtra State,
Sakhar Sankul, Sivajinagar,
Pune - 5 ... RESPONDENTS

.....

Shri Sachin S. Deshmukh, Advocate for petitioners
Shri N.S. Bhosle, Advocate for respondent No.1
Shri A.V. Deshmukh, A.G.P. for respondent No.2

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W I T H

WRIT PETITION NO.1598 OF 2017

1. Yogeshwari Sugar Industries Ltd.,
Laxminagar Limba, Tq. Pathari,
Dist. Parbhani, through its Chairman,
Ashok Hansanand Samat,
Registered Office : Vivekanand Nagar,
Parli Vaijnath, District Beed.
2. Ratneshwar Trambakappa Kore
Managing Director,
Yogeshwar Sugar Industries Ltd.,
Laxminagar Limba, Tq. Pathari,
Dist. Parbhani, through its Chairman

Registered Office : Vivekanand Nagar,
Parli Vajinath, District Beed. ... PETITIONERS

VERSUS

1. Balasaheb s/o Dagdoba Gangarde
Age 54 years, Occ. Agri.,
R/o Post Narwadi, Tq. Sonpeth,
District Parbhani.
2. Commissioner of Sugar,
Maharashtra State,
Sakhar Sankul, Sivajinagar,
Pune - 5 ... RESPONDENTS

.....
Shri Sachin S. Deshmukh, Advocate for petitioners
Shri N.S. Bhosle, Advocate for respondent No.1
Shri A.V. Deshmukh, A.G.P. for respondent No.2
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W I T H

WRIT PETITION NO.1602 OF 2017

1. Yogeshwari Sugar Industries Ltd.,
Laxminagar Limba, Tq. Pathari,
Dist. Parbhani, through its Chairman,
Ashok Hansanand Samat,
Registered Office : Vivekanand Nagar,
Parli Vajinath, District Beed.
2. Ratneshwar Trambakappa Kore
Managing Director,
Yogeshwar Sugar Industries Ltd.,
Laxminagar Limba, Tq. Pathari,
Dist. Parbhani, through its Chairman
Registered Office : Vivekanand Nagar,
Parli Vajinath, District Beed. ... PETITIONERS

VERSUS

1. Vitthal Devrao Jogdand
Age 24 years, Occ. Agri.,
R/o Post Narwadi, Tq. Sonpeth,
District Parbhani.
2. Commissioner of Sugar,

Maharashtra State,
Sakhar Sankul, Sivajinagar,
Pune - 5

... RESPONDENTS

.....
Shri Sachin S. Deshmukh, Advocate for petitioners
Shri N.S. Bhosle, Advocate for respondent No.1
Shri A.V. Deshmukh, A.G.P. for respondent No.2
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W I T H

WRIT PETITION NO.1607 OF 2017

1. Yogeshwari Sugar Industries Ltd.,
Laxminagar Limba, Tq. Pathari,
Dist. Parbhani, through its Chairman,
Ashok Hansanand Samat,
Registered Office : Vivekanand Nagar,
Parli Vaijnath, District Beed.
2. Ratneshwar Trambakappa Kore
Managing Director,
Yogeshwar Sugar Industries Ltd.,
Laxminagar Limba, Tq. Pathari,
Dist. Parbhani, through its Chairman
Registered Office : Vivekanand Nagar,
Parli Vaijnath, District Beed. ... PETITIONERS

VERSUS

1. Uttamrao Manikrao Jogdand
Age 64 years, Occ. Agri.,
R/o Post Narwadi, Tq. Sonpeth,
District Parbhani.
2. Commissioner of Sugar,
Maharashtra State,
Sakhar Sankul, Sivajinagar,
Pune - 5 ... RESPONDENTS

.....
Shri Sachin S. Deshmukh, Advocate for petitioners
Shri N.S. Bhosle, Advocate for respondent No.1
Shri A.V. Deshmukh, A.G.P. for respondent No.2
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CORAM: S. B. SHUKRE, J.

DATED: 6th February, 2017.

ORAL JUDGMENT :

1. Heard. Issue notice to respondents for final disposal. Mr. Bhosle, learned counsel waives service for respondent No.1. Learned A.G.P. waives service for respondent No.2. Rule. Rule made returnable forthwith and heard finally by consent of learned counsel for the parties.

2. On perusal of the impugned orders as well as the documents filed on record of this case, which are forming part of the Paper Book of the petitions, particularly the certificates issued by the concerned doctors, showing that the petitioners had indeed undergone treatment for the ailment of cancer and also the fact that the petitioners wished to place on record material fact that the original plaintiffs have already received the amounts of compensation on account of purchase of the sugarcane, these petitions deserve to be allowed by quashing and setting aside the impugned orders. If this is not done, I am of the view that, interest of justice shall take a back seat. These are the cases wherein the inconvenience caused to the original plaintiffs could be compensated, after all the suit itself has been filed for claiming compensation from the petitioners. In this view

of the matter, these writ petitions are allowed. The impugned orders directing closure of the evidence as well as refusing permission to deposit cost of Rs.2000/- and carrying out the amendments are hereby quashed and set aside. It is directed that the petitioners be allowed to deposit costs of Rs.2000/- within four weeks from the date of this order and carry out the amendment already granted within a week thereafter. It is further directed that the respondents shall be allowed to adduce evidence within two weeks from depositing the amount of Rs.2000/- and carry out necessary amendments, and if the petitioners do not lead evidence within the time stipulated as per this order, the petitioners shall forfeit their right to adduce the evidence. This order is made subject to payment of additional cost of Rs.7000/- (Rupees seven thousand) to the original plaintiff in each of the cases within four weeks from the date of this order, failing which the petitioners shall forfeit all the rights granted by this order.

3. Parties are directed to appear before the trial Court on 13th February 2017 and take necessary steps in terms of this order and they shall co-operate the trial Court for expeditious disposal of the suits. The trial Court shall make endeavour to expeditiously dispose of the suit, preferably within six months from the date of this order, provided parties co-operate in the matter.

4. Rule is made absolute in above terms.
5. Authenticated copy permitted.

(S. B. SHUKRE)
JUDGE

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