

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.12870 OF 2017

Kakasaheb S/o Ramkrishna Patil

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr.Pradeep Deshmukh h/f Mr. Y. P. Deshmukh & Mr. P.R. Karegaonkar
advocate for the petitioner
Mr.A.B. Girase, Government Pleader for Respondent No. 1, 2 and 3.

CORAM : **R. M. BORDE & VIBHA VASANT KANKANWADI, JJ**

(Date: November 6th, 2017)

PER COURT :-

1 This petition is presented under an apprehension that, the respondent No.6, who is a Director elected in view of section 13(1)(e) of the Maharashtra Agricultural Produce Marketing (Development & Regulation) Act, 1963 would be permitted to cast vote at the meeting convened for consideration of 'no-confidence' motion against the petitioner.

2 According to the petitioner, in view of subsection (1)(a) of section 13(1) of the Act of 1963 read with section 23(A)(2), the respondent No.6 shall not be entitled to cast his vote at the meeting for consideration of motion of 'no confidence'.

3 It would be open for the petitioner to point out the legal

position to the Presiding Officer, conducting the meeting for consideration of 'no confidence' motion. The instant petition presented to this Court is premature and the objection raised by the petitioner needs no consideration.

4 Keeping the option of the petitioner to take steps as provided under the Act and Rules framed thereunder, open, the writ petition stands disposed of.

(**VIBHA VASANT KANKANWADI, J.)**

(**R. M. BORDE, J**)

vbd