

IN THE HIGH COURT OF JUDICATURE AT BOMBAYNAGPUR BENCH : NAGPUR**WRIT PETITION NO. 1132 OF 2017 & CIVIL APPLICATION NO. 2183 OF 2017.**

(Santosh s/o Harishchandra Kuchankar & others .vs. The District Deputy Registrar, Yavatmal & others)

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

Court's or Judge's orders

Mr. Abhay Sambre, Advocate for petitioners,
Mr. N.B. Jawade, A.G.P. for respondent nos. 1 & 2,
Mr. F.T. Mirza, Advocate for proposed intervenor.

CORAM : B.P. DHARMADHIKARI & MRS. SWAPNA S. JOSHI, JJ.

DATED : OCTOBER 31, 2017.

Heard the learned Counsel for the respective parties.

After our orders dated 24.2.2017 petitioners have filed a reply to show-cause notice under Section 45(1) of the Maharashtra Agriculture Produce Marketing Regulation Act, 1963 and the authority, namely, respondent 1 thereafter has still not passed any orders because of directions issued by this Court.

We have perused show-cause notice and also considered submissions advanced by Mr. F.T. Mirza, learned Advocate for proposed intervenor. Mr. Abhay Sambre, learned Advocate for petitioners, is seeking time to file appropriate affidavit in rebuttal of contentions of Mr. F.T. Mirza, learned Advocate for proposed intervenor.

The show-cause notice impugned before this Court is dated 17.1.2017. We have granted interim relief on 24.2.2017 which is operating till date.

In this situation, considering rival submissions, we find that interest of justice can be met with by permitting respondent no.1 to proceed further in the matter as per law and to pass final orders. If such orders are adverse to the petitioners, same shall not be given effect to for a period of three weeks after its communication to them. With these directions and keeping all contentions of parties open, we dispose of Writ Petition as also Civil Application.

Judge

Judge

J.