

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2295 OF 2018
WITH
WRIT PETITION NO. 2269 OF 2018

THE AGRICULTURAL PRODUCE MARKET COMMITTEE
VERSUS
SUNITA ASHOK GAIKWAD AND OTHERS

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Advocate for Petitioner : Shri Thombre S.S.
Advocate for Respondents 1 to 166(ii) :
Shri R.N.Dhorde, Senior Advocate i/b Shri S.J.Salunke
AGP for Respondent 167 : Shri Badakh V.S.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: March 01, 2018
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PER COURT :-

1. After two rounds of detailed hearing and extensive submissions putforth by the learned Advocates for the respective sides, the learned counsel for the petitioner / APMC was called upon to take instructions from the responsible officer of the APMC as to whether the APMC would be inclined to comply with the direction of the appellate Court set out in Clauses (b), (c) and (d) of the impugned order.

2. Learned counsel, after seeking a pass over, has mentioned that the representative of these alleged encroachers Shri Gade, Advocate or a learned Advocate representing him would be given a hearing in the office of the APMC on 7.3.2018 at 11.00 AM. After hearing him on the notices that have already been served and in the light of the directions

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of the appellate Court, a reasoned order would be passed under Section 32-E on 15.3.2018 in the presence of the representative of the original plaintiffs and a copy of the order would be handed over to him. Shri Dhorde, learned Sr. Advocate submits on instructions that the original plaintiffs are agreeable to this arrangement and would be represented by Shri Gade, Advocate or an Advocate authorised by him, who would follow the date and schedule mentioned above.

3. With the above statements being recorded, status quo as is existing today shall be maintained and while restraining the APMC from initiating any clean-up operations, the original plaintiffs shall also be restrained from erecting new structures till 15.3.2018.

4. With the above arrangement arrived at by the consent of the parties, both these petitions are disposed off.

5. The police authorities of Taluka Parali Vaijanath would ensure maintenance of law and order.

(RAVINDRA V. GHUGE, J.)

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