

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6805 OF 2017**

Rasi Seeds Pvt. Ltd.	...Petitioner
Versus	
Commissioner of Agriculture, State of Maharashtra & Ors.	...Respondents

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Mr. Ishan Sinha I/b. M/s. Wadia Ghandy and Co. for the Petitioner.
Mr. Prashant P. Chavan, Spl. Counsel with Mr. A.P. Vanarse, AGP for
the Respondent Nos.1 to 3.

**CORAM : RANJIT MORE AND
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED: 7th AUGUST, 2018.

P.C.:-

The Petitioner is challenging the order passed by the Respondent No.2 whereby license to sell RCH 659 BG-2 came to be suspended. The Petitioner has also sought direction to the Respondent No.2 to renew its license to sale RCH 659 BG-2 in accordance with law. Mr. Chavan, the learned special counsel for the Respondent No.3 has placed on record the order dated 16th May, 2018 passed by the Director of Agriculture (Input and Quality Control) State of Maharashtra. Said order was passed in pursuance of the interim order passed by this Court on 2nd May, 2018. By the said order, the order impugned in this petition viz. suspension of license of RCH 659 BG-2 came to be withdrawn.

2. Earlier, pursuant to the order dated 22nd June, 2017, the Petitioner had deposited an amount of Rs.36,83,931/- in this Court. The learned counsel appearing for the Petitioner under instruction submits that he has no objection if said amount is distributed to the farmers, who have sustained loss because of the use of the BG-2 technology and whose names are recorded in the list annexed to the impugned order.

3. In the light of above we dispose of the petition by passing following order:-

(i) The Respondent No.2 or any officer authorised by the Respondent No.2 shall withdraw the amount deposited by the Petitioner in this Court viz. Rs.36,83,931/- alongwith interest accrued thereon.

(ii) The Respondent No.2 or any officer authorised by him shall distribute this amount to the 226 farmers, who are covered under the order dated 16th May, 2018 passed by the Respondent No.2-Director of Agriculture (Input and Quality Control) State of Maharashtra.

(SMT. ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)