

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.869 OF 2018

Patidar Seeds Pvt.Ltd. And Ors. ...Petitioners

Vs.

State of Maharashtra and Ors. ...Respondents

Mr. Anil Surti a/w Mr. Mihir Surti for the Petitioners.

Mr.G.W. Mattos, AGP for the Respondent nos. 1 and 2 State.

**CORAM : SHANTANU KEMKAR &
M.S. KARNIK, JJ.**

DATE : MARCH 22, 2018

P.C.:

By filing this Petition, the Petitioners have challenged the communication dated 12th December, 2017 and 15th December, 2017 issued by the Respondent Nos. 1 and 2.

2. The learned A.G.P. appearing on behalf of Respondent Nos. 1 and 2 on instructions from the officer who is present in person submits that by the impugned order the State is not prohibiting the Co-marketing but only insisting for the compliance of the provisions of the Maharashtra Cotton Seeds (Regulation of Supply, Distribution, Sale and Fixation of Sale Price) Act, 2009 and the Rules made thereunder. As regards the allegations of Respondent

Nos. 1 and 2 that the Petitioners are not adhering the provisions of the Maharashtra Cotton Seeds (Regulation of Supply, Distribution, Sale and Fixation of Sale Price) Act, 2009 and the Rules made thereunder, suffice it to say that the Respondent Nos. 1 and 2 are free to take appropriate action in accordance with law, if there is any breach of the Act and the rules as alleged.

3. By recording the aforesaid statement made by learned A.G.P. for Respondent Nos. 1 and 2, we dispose of this Petition.

4. We expect that Respondent Nos. 1 and 2 while considering and deciding the application for renewal of the licence filed by the Petitioners, the same will be decided by them in accordance with law and Maharashtra Cotton Seeds (Regulation of Supply, Distribution, Sale and Fixation of Sale Price) Act, 2009 and the Rules framed thereunder, uninfluenced by the impugned communication.

5. The Petitions stand disposed of.

6. Parties to act on the authenticated copy of this order.

(M.S. KARNIK, J.)

(SHANTANU KEMKAR, J.)