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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.3504 OF 2019

1. Shahdeo Madhavrao Kharsade,
Age: 62 years, Occ: Agri.,
R/o. Pachegao, Tq. Georai,
Dist. Beed
 2. Ganesh Vishnupant Kharsade,
Age: 32 years, Occ: Agri.,
R/o. Pachegao, Tq. Georai,
Dist. Beed
 3. Shakuntala Sitaram Deshmukh,
Age: 70 years, Occ: Agri.,
and Household, R/o Daithan,
Tq. Georai, Dist. Beed
 4. Nagnath Kapse (since dead)
through son Ganesh Nagnath Kapse,
Age: 52 years, Occ: Agri.,
R/o. Georai, Tq. Georai,
Dist. Beed
 5. Suresh Shankarrao Dabhade
(since dead) through legal
representative wife,
Sheela w/o Suresh Shankar
Dabhade, Age: 55 years, Occ: Agri.,
R/o. Georai, Tq. Georai,
Dist. Beed
- ..PETITIONERS

VERSUS

1. The State of Maharashtra
Through Director,
Marketing, Maharashtra State,
Pune
2. Collector District Beed

(2)

3. District Marketing Officer,
Maharashtra State Co-operative
Marketing Federation Limited
Beed
4. Manager, Beed Zilla Krushi
Audhyogik Sarva Seva Sahakari
Sanstha Ltd., Beed
5. District Deputy Registrar (DDR),
Co-operative Societies, Beed ..RESPONDENTS

Mr M.P. Tripathi, Advocate h/f Mr N.B. Khandare,
Advocate for petitioner;
Mrs Preeti V. Diggikar, A.G.P. for respondent Nos.
1, 2 and 5

**CORAM : PRASANNA B. VARALE
AND
NITIN W. SAMBRE, JJ.**

DATE : 13th MARCH, 2019

ORAL ORDER :

Heard learned Counsel appearing for the
petitioners and learned A.G.P. for respondent Nos.
1,2 and 5. Notice to respondent Nos. 3 and 4 is
dispensed with as the order passed is innocuous.

2. The claim of the petitioners is, they
being agriculturists, in view of scheme floated by
the State Government for minimum support price for

(3)

Toor, disposed of their agricultural produce in favour of respondent No.3, however, their considerations/payments for purchase of said agricultural produce (Toor) are not materialized/paid to the petitioners till date i.e. even after lapse of period of two years.

3. The petitioners have relied on the inquiry report dated 23rd May, 2018 submitted by the Tahsildar, Georai and District Deputy Registrar, (C.S.), Beed, wherein finding is recorded that the payments should have been made to the petitioners, however, since same is not paid, the authorities, such as, NAFED and District Marketing Officer to make said payment.

4. The District Deputy Registrar, before conducting inquiry, has given notice of hearing to the concerned.

5. The sum and substance of the submission of learned Counsel for the petitioners is, though

(4)

finding of supply of *Toor* by the petitioners is recorded, for more than last two years, payments are not made.

6. Learned A.G.P. submits that time be granted to take instructions from the concerned authorities.

7. Having appreciated the issue that is sought to be raised before this Court, in the backdrop of report of the District Deputy Registrar (C.S.) and Tahsildar, Beed dated 23rd May, 2018, in our opinion, it is required to direct the Collector, Beed to look into the entire issue as regards the grievance made by the petitioners about non payment of consideration towards supply of agricultural commodity viz., '*Toor*' in the year 2017. The Collector shall issue appropriate orders and take effective action against the defaulters so as to ensure the payment to which the petitioners/agriculturists are entitled to in law.

(5)

8. Needless to clarify that if amount as claimed by the petitioners is found due and payable and if not paid by the respondents from whom same is due and payable, the Collector shall take action in accordance with law including exercise of power under Maharashtra Land Revenue Code and shall submit compliance report before this Court within period of twelve weeks from today.

9. With the above observations, the petition stands disposed of.

(**NITIN W. SAMBRE**)
JUDGE

(**PRASANNA B. VARALE**)
JUDGE

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