

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

WRIT PETITION NO. 2181 OF 2019

MURLIDHAR SADASHIV TAGADE

VERSUS

MINISTER FOR CORPORATION AND MARKETING

MANTRALAYA, MUMBAI AND OTHERS

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Advocate for the Petitioner : Shri S. P. Brahme h/f.

Shri S. D. Mane

AGP for the Respondent/State : Shri S. R. Yadav - Lonikar

Advocate for Respondent No. 5 : Shri R. N. Dhorde -Sr.

Counsel h/f. Shri S. G. Kawade

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 18th JULY, 2019.

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PER COURT :

1. The learned AGP submits on a written communication from Shri K.G. Walvi, Deputy Secretary, State of Maharashtra dated 18/07/2019 addressed to him that the Office of the Hon'ble Minister has withdrawn the impugned order dated 31/01/2019, that was passed in Appeal No. 3/2019 filed by

respondent No. 5 herein.

2. Shri Dhorde, the learned Senior Advocate submits that the said Appeal was filed before the Honourable Minister since the Director (Marketing) did not grant ad interim protection to the Appellant in Appeal No. 124/2018. In order to seek interim protection, the said Appeal was filed. If respondent No. 3 Director (Marketing) is directed to decide the pending Appeal, the Appeal pending before the Honourable Minister can be disposed off.

3. The learned Advocate for the petitioner is agreeable.

4. In view of the above, Appeal No. 3/2019, pending before the Honourable Minister, Co-operation, Marketing and Textile is disposed off as withdrawn by the Appellant/respondent No.5 herein.

5. The pending Appeal No. 124/2018 shall be taken up for urgent hearing by the learned Director (Marketing), State of Maharashtra. The petitioner and respondent No. 5 shall

appear before respondent No. 3 on 01/08/2019 at 12.00 noon.

6. The Appellant (before respondent No. 3/Director (Marketing)) shall forthwith issue Advocate's notice to respondent No. 2 Shri S. P. Chavan and respondent No. 4 Sabhapati/Sachiv, APMC, Washi, through Speed Post AD along with a copy of this order and intimate the parties that they have to appear in the matter before respondent No. 3 on 01/08/2019 at 12.00 noon.

7. It is made clear that respondent Nos. 2 and 4 shall appear on the returnable date as is granted by the Director (Marketing) and shall submit their written say as well as their oral/written submissions, on or before 31/08/2019, failing which, the Director (Marketing) would close the matter for judgment and for orders and deliver its order on 30/09/2019.

8. The litigating sides would complete their oral submissions and tender written notes along with case law if so advised, on or before 31/08/2019. Thereafter, respondent No.3 would post the matter on 30/09/2019 for delivering its

order. The litigating sides would remain present on the said date for pronouncement of order and respondent No. 3 would keep copies of his order ready to be delivered to all the litigating sides on the same date.

9. Since respondent No. 5 was protected by the order of the Honourable Minister dated 31/01/2019 and this Court had not stayed the said protective order, the said protection would continue till 30/09/2019.

10. In view of the above directions, Writ Petition stands disposed off.

(RAVINDRA V. GHUGE, J.)

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