

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

WRIT PETITION NO.10672 OF 2019

The Agricultural Produce Market
Committee, Udgir, through its
Chairman

..Petitioner

Versus

The State of Maharashtra and ors.

..Respondents

Mr V.D. Hon, Sr.Counsel i/b Mr A.D. Shinde, Advocate for petitioner
Mr S.P. Tiwari, A.G.P. for respondents

WRIT PETITION NO.10686 OF 2019

Kalyan Bapusaheb Patil

..Petitioner

Versus

The State of Maharashtra and ors.

..Respondents

Ms P.S. Talekar Advocate h/f Mr S.B. Talekar (Talekar and Associates),
for petitioner
Mr V.M. Kagne, A.G.P. for respondents no.1 to 4

AND

WRIT PETITION NO.10705 OF 2019

Gajanan s/o Hanuman Biradar and ors.

.. Petitioners

Versus

The State of Maharashtra and ors.

.. Respondents

Dr.S.D. Tawshikar, Advocate for petitioners
Mr S.P. Tiwari, A.G.P. for respondents no.1 to 4

**CORAM : S.V. GANGAPURWALA AND
ANIL S. KILOR, JJ.**

DATE : 28.08.2019

ORAL ORDER :

1. We have heard Mr Hon, learned Senior Counsel, learned
Advocate Ms Talekar for the respective petitioners, Mr Deshmukh,

learned Counsel for intervenor and learned A.G.P.

2. It is submitted that in respect of the same A.P.M.C., in an earlier term, this Court in Writ Petition no.1664 of 2016, in its order dated 9.2.2016 had passed the following order.

“1. This petition can be disposed of by issuing directions to Respondents Authorities not to act upon an adverse order, in the event of passing of such an order in furtherance of this notice issued in that behalf on 18th January 2016 directing super-session of the Managing Committee of Agricultural Produce Market Committee, Udgir, for a period of FIFTEEN DAYS from the date of issuance of such order, and it is accordingly directed.

2. The Writ Petition stands disposed of accordingly.”

3. The leaned Counsel submit that the same order be passed in the present petitions also. Mr Deshmukh, learned Counsel for intervenor submits that the petitioners have not made out any prima facie case.

4. Considering that the order was passed in respect of same A.P.M.C. in respect of Directors for the earlier term in Writ Petition No.1664 of 2016 under order dated 9.2.2016 and in the similar event, we pass the similar order.

5. The petitioners did not file say to the show-cause notice and the enquiry may proceed further. Competent authority may take decision on its own merits pursuant to the show-cause notice dated 22.8.2019.

In case the authority passes an order adverse to the interest of the petitioners, in furtherance to the show-cause notice, then the same may not take effect for a period of fifteen (15) days from the date of issuance of such order.

6. Writ Petitions are accordingly disposed of. No costs.

(ANIL S. KILOR, J.)

(S.V. GANGAPURWALA, J.)

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