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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (STAMP) NO.24245 OF 2019

Shri Jaysingh Bhagwan Jamdade & Ors.] ..Petitioners.

v.

The State of Maharashtra & Ors.] ..Respondents.

Mr.Amitkumar S., for the Petitioners.
Mr.Umesh Mankapure, for Respondent.
Mrs.K.R.Kulkarni, AGP for the State.

**CORAM : INDRAJIT MAHANTY &
 N.B.SURYAWANSHI, JJ.**

DATE : 18th SEPTEMBER, 2019.

P.C.

1] This Petition has been preferred to impugn the order passed by the District Deputy Registrar, Co-operative Societies, Sangli, dated 29th June, 2019, whereby, by exercising powers under Section 40 of the APMC Act, the District Deputy Registrar directed an enquiry of financial affairs by appointing an enquiry officer Shri Shaikh, Assistant Registrar, Co-operative Societies, Vita, District-Sangli.

2] Heard learned counsel for the respective parties. During the course of arguments, a notice under Section 45(1) of the APMC Act is produced by the learned counsel for Respondent Nos.4 to 6 and he submits that the enquiry as directed vide the impugned order is already completed and further action is initiated under Section 45 of the said Act against the Petitioner. Consequently, the Writ Petition is rendered infructuous.

3] The learned counsel for the Petitioner has raised various grounds including the ground of competency of the concerned authority in initiating proceeding under Section 45(1) of the APMC Act.

4] In the light of subsequent developments, we are not inclined to go into the merits of the matter and we dispose of the Writ Petition having rendered infructuous. All the contentions of the parties, are kept open.

[N.B.SURYAWANSHI, JJ]

[INDRAJIT MAHANTY, JJ]

