

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8245 OF 2019
WITH
WRIT PETITION NO. 7356 OF 2019

Digvijay Digambar Bagal

...Petitioner

Versus

The State of Maharashtra
Through Principal Secretary,
Department of Marketing & Ors.

...Respondents

...

Mr. Abhijit Kulkarni i/b. DD and Abhijit Associates for Petitioner.
Mr. Sarang Aradhye a/w. Mr. Milind Prabhume for Respondent No. 4.
Mr. Mandar Limaye for Respondent No. 3.
Dr. K.R. Kulkarni a/w. Mr. R.P. Kadam, AGP for Respondent – State.

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CORAM : S. S. SHINDE &
N. B. SURYAWANSHI, JJ.

DATE : 14th OCTOBER 2019

PER COURT :

1. Heard learned counsel appearing for the Petitioner for some time. The decision of the Director of Marketing is challenged in the writ petitions. There is an alternate efficacious remedy under Section 52B of The Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963 (for short “said Act”). In that view of the matter, this Court declines to entertain these writ petitions. Hence, both writ petitions stands disposed of,

with liberty to the Petitioner to avail of an appropriate remedy as available under Section 52B of the said Act.

2. Needless to observe that, in case the Petitioner prefers an Appeal under Section 52B of the said Act, and if there is delay in filing the appeal, while considering the prayer for condonation of delay, the Appellate Authority shall keep in view the time spent by the Petitioner in prosecuting these petitions.

(N. B. SURYAWANSHI, J.)

(S. S. SHINDE, J.)