

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

915 WRIT PETITION NO.6631 OF 2020
WITH CA/11266/2021 IN WP/6631/2020 WITH
CA/6100/2020 IN WP/6631/2020 WITH WP/6630/2020

**THE CHALISGAON AGRICULTURE PRODUCE MARKET
COMMITTEE CHALISGAON
VERSUS
THE HONBLE MINISTER AND OTHERS**

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Advocate for Petitioner : Mr. V. D. Salunke h/f Mr. Patil (Borse)
Paresh B.

AGP for Respondents-State : Mr. P. S. Patil.

Advocate for Respondent No.9 : Mr. N. B. Khandare.

Advocates for Intervenor : Mr. M. S. Patil & Mr. D. J.
Chaudhari.

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**CORAM : RAVINDRA V. GHUGE, AND
S. G. MEHARE, JJ.**

DATE : 13.10.2021

PER COURT :-

1. Having considered the brief submissions of the learned advocates of the respective sides, we have perused the notification dated 30.09.2021 issued by the Department of the Co-operation, Marketing and Textile, Government of Maharashtra, Mumbai, vide which, elections to all A.P.M.C.s have been directed and the process has to start after 23.10.2021, to be completed within three months therefrom.

2. In view of the above, we are not going into the merits of the claims made by these petitioners. Since we are appraised that in any case, the elections of all A.P.M.C. would be completed within three months from 23.10.2021, we deem it appropriate to rely upon our order dated 04.10.2021 delivered in Writ Petition Nos.5267, 2887, 5180 and 7041 of 2020 and 14118, 6102 of 2018.

3. The decision of the Government in the document "X" reads as under :-

"त्याअर्थी, महाराष्ट्र कृषि उत्पन्न पणन (विकास व विनियमन) अधिनियम १९६३ मधील कलम ५९ मधील तरतुदी अन्वये प्राप्त अधिकारांनुसार शासन याद्वारे असे आदेश देत आहे की :-

१) ज्या बाजार समित्यांच्या संचालक मंडळाच्या निवडणुका नियत झाल्या आहेत त्या सर्व बाजार समित्यांच्या संचालक मंडळांच्या निवडणुकांची प्रक्रिया महाराष्ट्र राज्य सहकारी निवडणूक प्राधिकरण, पुणे यांनी दिनांक २३.१०.२०२१ नंतर सुरु करावी. तसेच मा. उच्च/ मा. सर्वोच्च न्यायालयाने निवडणूक घेण्याचे विवक्षित आदेश दिले आहेत अशा कृषी उत्पन्न बाजार समित्यांच्या निवडणुका विहित कालावधीत घेण्यात याव्यात व न्यायालयीन आदेशाचे काटेकोरपणे पालन करावे.

२) दिनांक २३. १०.२०२१ रोजी कार्यरत असलेले सर्व संचालक मंडळे / अशासकीय प्रशासक मंडळे / प्रशासक यांना, संबंधित कृषी उत्पन्न बाजार समितीच्या संचालक मंडळाची निवडणूक होऊन प्रत्यक्षात संचालक मंडळ कार्यरत होईपर्यंत किंवा दिनांक २३.१०.२०२१ पासून पुढील ३ महिने, यापैकी जे अगोदर घडेल ते, तोपर्यंत मुदतवाढ देण्यात येत आहे. तथापि, मुदतवाढ मिळाल्याच्या दिनांकापर्यंत त्यांना कोणताही धोरणात्मक निर्णय घेता येणार नाही.”

4. In view of the above, all these Writ Petitions are disposed off.

5. Needless to state, we expect the authorities to abide by the terms of the order dated 30.09.2021 reproduced above and conduct the elections accordingly. We also expect that the concerned authorities, which would now be holding the elections, would strictly abide by the directions set out in the last sentence of paragraph 2 of the order reproduced above.

6. It goes without saying that the elections will be conducted strictly in accordance with the applicable Rules and the procedure prescribed including the APMCs depositing the election fees with the concerned Election Officers.

7. The pending Civil Applications do not survive and stand disposed off.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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vmk/-