

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

913 WRIT PETITION NO.9596 OF 2021

**KADUBA DAGDUBA GAVANDE
VERSUS
THE REGIONAL JOINT DIRECTOR (SUGAR) AURANGABAD
AND ANOTHER**

...

Advocate for Petitioner: Mr. Kawale Laxman H.

I/c. GP for Respondent No. 1: Mr. D. R. Kale

Advocate for Respondent No. 2:

Mr. S. B. Solanke h/f. Mr. Suryawanshi

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**CORAM: S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATE: 31st AUGUST, 2021

PER COURT:

1. Mr. Kawale, learned Advocate for the petitioner submits that notice dated 25.03.2021 issued by respondent no. 2 *Karkhana* asking the petitioner to deposit Share Capital Amount is illegal. The *Karkhana* is not functioning. The initial Share Capital Amount was Rs.3,851/-. They could not increase to Rs.10,000/-

2. The learned In-charge Government Pleader appears for respondent no. 1. Mr. Solanke,

learned Advocate holding for Mr. Suryawanshi,
learned Advocate appears for respondent no. 2.

3. It is not disputed that the model by-laws accepted by the *Karkhana* prescribes Share Capital Amount of Rs.10,000/-. The amendment to the by-laws is not assailed. In absence thereof, the petition cannot be entertained only to the extent of challenge to the notice based on model by-laws.

4. In view of the above observations, writ petition is disposed of. All contentions of the parties are kept open. The petitioner is at liberty to assail the model by-laws as may be permissible under law. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

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