

Prajakta Vartak

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.8682 OF 2021

Twentyone Sugars Limited

...Petitioner

V/s.

Commissioner of Sugar & Anr.

...Respondents

Mr. Vineet Naik, Senior Advocate with Mr. Sukand Kulkarni, Mr. Kartikeya Desai and Mr. Asadali Mazgoanwala i/b. Kartikeya & Associates for Petitioner.

Mr. S. H. Kankal, AGP for State.

CORAM : G. S. KULKARNI, J.

DATE : DECEMBER 08, 2021

PC :

1. Considering the issues as raised in this petition, in my opinion, this petition needs to be filed before the Aurangabad Bench of this Court. The petitioner-sugar factory itself is situated at Saykheda, Taluka-Sonpeth, District-Parbhani, as also the concerned farmers are also residents of District-Parbhani, whose Core Committee had made a representation in pursuance of which the impugned order dated 27 October, 2021 has been passed.

2. Mr. Naik, learned senior counsel for the petitioner fairly states that the petitioner would move the Aurangabad Bench of this Court. However, Mr. Naik's contention of immediate concern is that a hearing has been fixed by the Commissioner of Sugar at Pune today at 11.30 a.m. to hear the

petitioner's representation against the impugned order dated 27 October, 2021, however, a pre-condition for such hearing is that the petitioner is called upon to deposit arrears of FRP of Rs.1031.23 Lakhs, which according to the petitioner, could not have been directed.

3. Mr. Kankal, learned AGP would point out that today's hearing to be held by the Commissioner of Sugar is on a request as made by the petitioner and hence it can be deferred to Wednesday next i.e. 15 December, 2021. Accordingly, let the same be now held on 15th December 2021 at 11.30 a.m.
4. In the meantime, liberty to the petitioner to move Aurangabad Bench by appropriate proceedings.
5. All contentions of the parties are expressly kept open.
6. The petition is accordingly disposed of.

(G. S. KULKARNI, J.)

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