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

WRIT PETITION NO. 537 OF 2020

AGRICULTURAL MARKET PRODUCE COMMITTEE
PUNE

..PETITIONERS

vs.

HONOURABLE MINISTER MARKETTING
OF THE STATE OF MAHARASHTRA & ORS.

..RESPONDENTS

Mr. Sugandh Deshmukh for petitioner.

Mr. S.R. Nargolkar I/b. Mr. Arjun Kadam for respondent No.2.

Mrs. M.S. Bane, AGP for State.

CORAM : M.S.KARNIK, J.

DATE : FEBRUARY 2, 2021

P.C.:-

Heard learned counsel for the petitioner.

2. Challenging the impugned order dated 16/9/2019 passed by the Hon'ble Minister (Marketing) which is at page 50 of the Petition, learned counsel for the petitioners submitted that the petitioners were not heard before the impugned order was

passed. He invited my attention to the copy of communication at page 49 of the Petition wherein reference is made to the dates of the hearing which indicates that the petitioners in fact could not be heard.

3. Learned counsel for the respondent No.2 fairly states on instructions of Mr. Thakkar present in the Court that the petitioners were not heard when the order was passed. In this view of the matter, the impugned order calls for interference.

4. The matter is remitted back to the Hon'ble Minister (Marketing) for a fresh hearing on merits and in accordance with law. It is made clear that all contentions on merits are kept open. I may not be understood to have expressed any opinion so far as merits of the contentions are concerned.

5. Considering the controversy and the request made by learned counsel for the respondent No.2, the Hon'ble Minister (Marketing) is requested to decide the Appeal No. 23 of 2019 as expeditiously as possible and in any event within a period of eight weeks from 9/2/2021.

6. The parties to appear before the Hon'ble Minister (Marketing) on 9/2/2021, at 2.30 p.m., whereupon the Hon'ble Minister (Marketing) may fix further schedule of the hearing.

7. The Writ Petition is disposed of.

8. Parties to act on an authenticated copy of this order.

(M.S.KARNIK, J.)

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