

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CONTEMPT PETITION NO. 201/2021 IN WRIT PETITION NO. 2746/2020 (D)

(HARESHWAR DADARAO RAROKAR & OTHERS **VERSUS** RAJESH BHUSARI, SECRETARY,
APMC. JAWAHAR NEHRU YARD, KALAMNA, NAGPUR)

WITH

CONTEMPT PETITION NO. 208/2021 IN WRIT PETITION NO. 2620/2020 (D)

(MANGESH BANDUJI MADNE & OTHERS **VERSUS** RAJESH MADHUKAR BHUSARI &
ANOTHER)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri Ram Heda, Advocate with Shri A. Parchure, counsel for the petitioners in C.P. No.201/2021.

Shri S.P. Bodalkar, Advocate with Shri D.V. Chauhan, counsel for the petitioners in C.P. No.208/2021.

Shri V.M. Gadkari, counsel for the respondents.

CORAM : A. S. CHANDURKAR AND G.A. SANAP, JJ.

DATED : 29TH OCTOBER, 2021.

The grievance of the petitioners herein is that the directions issued in Writ Petition Nos.LDVC 312/2020 and 230/2020 on 03.08.2020 have not been complied with. As per the said order, liberty was granted to the petitioners to apply in the appropriate format to the Market Committee for grant of trading licenses with limits of the Market Committee.

According to the petitioners despite having made the requisite application no decision was taken by the Market Committee. Ultimately on 02.08.2021 the Secretary of the Market Committee informed the petitioners that for lack of basic infrastructure facilities, the application for grant of license was being rejected. According to the petitioners in view of the subsequent order dated 07.07.2021 passed on the application moved by the Market Committee this ground was not permissible for being assigned while rejecting the applications.

After notice was issued in the contempt petition initially an affidavit was filed by the Secretary re-iterating the stand as taken for rejecting the license applications. Today, the Secretary of the Market Committee is present in Court and on his instructions, the learned counsel for the respondents submits that the order dated 02.08.2021 passed on the applications of each petitioner would be withdrawn and the applications for grant of license would be considered afresh.

The statement as made is accepted. The communication dated 02.08.2021 is treated to be withdrawn by the Secretary.

It is further informed that the elections to the market Committee have taken place and on 10.11.2021 the new body is to take charge. The decision on the license applications would be taken by the Elected Body.

In the light of the time that was granted in the writ petitions for taking decision on the applications for grant of license, the said applications moved by the petitioners be adjudicated upon within a period of one month from 10.11.2021. In the light of aforesaid, the contempt petition is disposed of.

(G.A. SANAP, J.)

(A. S. CHANDURKAR, J.)

APTE