

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

Writ Petition No. 318 of 2021

Baldeorao S/o Namdeorao Chopde Vs. The State of Maharashtra through its
Secretary Department of Co-operation, Marketing & Textile and Others

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

Court's or Judge's orders

Mr. M.V. Samarth, Senior Advocate with Mr. Ashish Chaware,
Advocate for the petitioner
Ms. T.H. Khan, AGP for the respondents No.1 to 4 and 7
Mr. Dheeraj Jain, Advocate h/f Mr. S.P. Bhandarkar, Advocate for the
respondent No.6.

CORAM : MANISH PITALE, J.

DATED : JUNE 21, 2021

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. When this Writ Petition is called out Mr. M.V. Samarth, Senior Advocate appearing for the petitioner submitted that in view of policy decision reflected in the Government Resolution dated 22/04/2021, issued by the State of Maharashtra, the present Writ Petition can be disposed of by giving an appropriate direction in the matter.

3. Attention of this Court is invited to the said policy decision dated 22/04/2021, issued by the respondent No.1 – State of Maharashtra. It is specifically provided in the said decision that except those societies where there are allegations of

misconduct and there are enquiries pending, in case of other societies, the term of the body of the Marketing Committee can continue upto 23/10/2021, for taking care of the day to day affairs, without taking any major policy decisions.

4. In view of the above, the learned Senior Counsel submits that an appropriate direction can be given to the respondent No.3 – District Deputy Registrar of Co-operative Societies to pass an appropriate order in respect of the respondent No.5 – Agricultural Produce Market Committee, in terms of the said policy decision dated 22/04/2021. It is submitted that in the present case admittedly there is no allegation of misconduct and there is no enquiry pending in respect of the said Agricultural Produce Marketing Committee. The petitioner is the Chairman of the elected body of the said Agricultural Produce Marketing Committee and, therefore, he has approached this Court in that capacity.

5. The learned Advocates appearing for the respondents submit that they do not have instructions as regards the aforesaid assertion made on behalf of the petitioner that neither is there any allegation of misconduct nor is any enquiry pending against the respondent No.3 – Agricultural Produce Marketing Committee. But, since the learned Senior Advocate appearing on behalf of the petitioner has made a responsible statement at the bar before this Court, the same is accepted.

6. In view of the above, the respondent No.3 is directed to pass an appropriate order in respect of the respondent No.5 – Agricultural Produce Marketing Committee in terms of the policy decision taken by the respondent No.1 – State, as reflected in Government Resolution dated 22/04/2021, within a period of two weeks from today.

7. The learned A.G.P shall inform the respondent No.3 regarding the order passed today.

8. It is made clear that this Court has not entered into the merits of the contentions raised by the rival parties in this Writ Petition.

9. In view of disposal of the present Writ Petition, all pending applications are also disposed of.

JUDGE