

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

WRIT PETITION NO.608/2014

PETITIONER : The Agriculture Produce Market Committee,
Buldhana, Secular road, market yard,
Buldhana; Through its Secretary.

...VERSUS...

RESPONDENTS :

1. Joint Director of Marketing, Central Building, Pune, Maharashtra.
2. Sunderpuria and Sons,
Proprietor :- Gyanshyamdas Jawlaprasad Agrawal, Aged about – 55 Occu. Business
R/o Sunerpuria Niwas, Jai Nagar, Jalgaon, Tah. & Distt. Jalgaon.
3. M/s Shiv Trading Company
Proprietor :- Shri Sharad Shrikrushna Wagh
Aged about – 31, Occu. Business,
R/o Dhad, Distt. Buldhana.

Shri R.D. Karode, Advocate for petitioner
Shri S.M. Ukey, Addl. G.P for respondent no.1
Shri S.G. Karmarkar, Advocate for respondent no.2

CORAM : AVINASH G. GHAROTE, J.

DATE : 26/08/2021

ORAL JUDGMENT

1. Learned Counsel for the petitioner submits that the impugned order dated 11/07/2013, in one of its directions, had

directed the Agriculture Produce Market Committee to reconsider the renewal of license of the respondent no.2 within one month from the date of the decision.

2. Shri Karode, learned Counsel for the petitioner submits that in fact, the reconsideration, as directed by the impugned order dated 11/07/2013, was done by the petitioner, which is reflected from Resolution No.4, passed in a meeting of the General Body of the petitioner on 31/07/2013. He submits that in ignorance of the said reconsideration, the petition came to be filed and the order dated 05/12/2015, issuing Rule and granting interim relief came to be passed.

3. Learned Counsel for the petitioner submits that in view of the reconsideration already done, as reflected from Resolution No.4 dated 31/07/2013, there was no necessity for filing the petition at all and the factum of not bringing this to the notice of the Court was because of inadvertence. He, therefore, prays for withdrawal of the petition.

4. In view of what has been stated, since the time of the Court is wasted from 2014 till date, the withdrawal is permitted, however, subject to costs of Rs.30,000/- (Rupees Thirty Thousand Only) to be paid to the High Court Legal Services Sub-Committee, Nagpur, within a period of two weeks from today. In case the amount is not so paid, list the matter thereafter before the Court, for that purpose. The writ petition is therefore disposed of as withdrawn. Rule stands discharged.

(AVINASH G. GHAROTE, J.)

Wadkar