

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14883 OF 2021

ABASAHEB MULIDHAR GADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioner : Mr. A.D. Shinde
AGP for Respondents No. 1 to 4 : Mr. P.K. Lakhotiya
Advocate for Respondent No. 5 : Mr. V.H. Dighe

**CORAM : A.S. GADKARI AND
S.G. MEHARE, JJ.**

DATE : 27TH JANUARY, 2022

P.C. :

1. Learned AGP on instructions from the respondent No. 1 submitted that, the Hon'ble Minister for Corporation, Marketing and Textile Department, Mantralaya, Mumbai, will decide the Revision filed by petitioner bearing Revision No. RVA/2017/PK306/155 within a period of eight weeks from today. The said statement was in fact a fair statement made by the learned AGP, on instructions.
2. In view thereof, we were of the view to grant prayer clause (C) of the petition i.e. direction to respondent No. 5 not to declare the election of the Chas Vividh Karyakari Seva Sahkari Sanstha Limited Chas (Nali), Taluka Kopargaon, District Ahmednagar, till the said decision of the revision bearing Revision No. RVA/2017/PK306/155 pending before the Hon'ble Minister.

3. However the said suggestion and or direction was opposed by the learned counsel for respondent No. 5 and submitted that, such a longer period should not be given to the Hon'ble Minister for decision of the said Revision. He submitted that, by an order dated 18.11.2021 passed in Writ Petition No. 11669/2021 and other connected petitions, the co-ordinate bench of this Court has directed to hold the elections of the Primary Agricultural Societies before holding the elections of Managing Committee of the APMCs and before conducting the elections of the APMC, the Election Authority should conduct the elections of the Primary Agricultural Societies.

He submitted that, in view thereof, respondent No. 5 has initiated procedure for conducting elections of Primary Agricultural Societies and the same would be conducted in five phases. He, however, submitted that, Chas Vividh Karyakari Seva Sahkari Sanstha Limited Chas (Nali), Taluka Kopargaon, District Ahmednagar, falls in the fifth phase and the procedure for conducting its elections has not yet commence.

4. In view of the above, we hereby direct the Hon'ble Minister, Corporation, Marketing and Textile Department, Mantralaya, Mumbai, to decide the Revision No. RVA/2017/PK306/155 filed by the petitioner as expeditiously as possible and in any case within a period of four weeks from the date of the receipt of present order.

5. Till the decision in Revision No. RVA/2017/PK306/155, respondent No. 5 is directed not to declare election programme of Chas Vividh

Karyakari Seva Sahkari Sanstha Limited Chas (Nali), Taluka Kopargaon,
District Ahmednagar.

Writ Petition is allowed in the aforesaid terms.

6. All the concerned to act upon the authenticated copy of the this
order.

[S.G. MEHARE, J.]

[A.S. GADKARI, J.]