

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

WRIT PETITION NO.961 of 2004

Keshavrao Santoshrao Dehankar,

..Petitioner

versus

State of Maharashtra, through its Secretary,
department of Co-operation and textiles,
Mantralaya, Mumbai, and others.

.. Respondents.

None for the petitioner.

Mrs. K.R.Deshpande, Assistant Government Pleader for respondent nos. 1 and 2.

Ms Winy Diagavane, Advocate h/f Shri Harish Dangre, Advocate for interveners.

CORAM :- A.S.CHANDURKAR AND URMILA S. JOSHI-PHALKE, JJ.

DATE :- JUNE 07, 2022.

P .C.

None for the petitioner.

The challenge raised in this writ petition is to the order dated 10.02.2004 that was passed by the District Deputy Registrar, Co-operative Societies, by which it was held that the petitioner as a Chairman of the Market Committee did not have right to vote in the elections that were to be held in view of the provisions of Section 13(1)(1-a) of Maharashtra Agriculture Produce Marketing (Development and Regulation) Act, 1963 (for short, 'the said Act'). These elections were scheduled in the year 2003.

It is seen that this Court had on 03.03.2004 granted interim relief as a result of which the petitioner could participate in the said elections. We however find that with the passage of time, the challenge to the order dated 10.02.2004 has now become academic.

In that view of the matter, the writ petition is disposed of as having been rendered infructuous due to passage of time. However the challenge as raised to the provisions of Section 13(1)(1-a) of the said Act is kept open for being raised in an appropriate proceeding.

Rule stands discharged with no order as to costs.

(URMILA S. JOSHI-PHALKE, J.)

(A.S.CHANDURKAR, J.)

Andurkar..