

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

942 WRIT PETITION NO.2494 OF 2023

GRAMPANCHAYAT LAXMAN NAIK TANDA THROUGH ITS SARPANCH  
JYOTI RAVINDRA PAWAR AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH MINISTRY OF AGRICULTURE  
DEPARTMENT AND OTHERS

...  
Advocate for Petitioners : Mr. Kulkarni Sanket S. & Rathod Vivek U.  
AGP for Respondents-State : Mr. G. O. Wattamwar  
Advocate for Respondent No.3 : Mr. V. H. Dighe  
...

**CORAM : ARUN R. PEDNEKER, J.**  
**DATE : 03<sup>rd</sup> March, 2023**

**PER COURT :**

1. Heard the learned Advocate for the petitioner. The petitioner has raised an objection that their names are not included in the voters list of the APMC, Javla/respondent No.4. The election authority while deciding the objection under Section 7 (3) of the Maharashtra Agriculture Produce Market Committee (Committee Elections) Rules, 2017, noted that the petitioners have not produced evidence along with a relevant documents and as such dismissed the objection raised by the petitioners.

2. The learned Advocate appearing for the election authority/respondent No.3 submits that the petitioners area is not within the

declared area of the APMC, Javla within the meaning of Section 4 (3) of the APMC Act, and as such, their names are not included in the provisional voters list of the APMC, Javla. Since the petitioners are not resident within the APMC, Javla the petitioners are permitted to make an application to the State Government to include the area into any of the adjoining APMC. In the event such an application is filed, the application may be considered by the State Government on its own merits.

3. The dismissal of the present petition or the order passed under Section 7 (3) of the Maharashtra Agriculture Produce Market Committee (Committee Elections) Rules, 2017 by the election authority would not in any way impede the application filed by the petitioner before the State Government. The writ petition is disposed of with above observations.

**( ARUN R. PEDNEKER, J. )**

*vj gawade/-.*