

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

910 WRIT PETITION NO.4510 OF 2023

BALASAHEB UTTAMRAO MAGAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...

Advocate for Petitioner : Mr. P. N. Kalani
AGP for Respondents-State : Mr. K. B. Jadhavar
Advocate for Respondent Nos.3 to 5 : Mr. S. K. Kadam

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CORAM : ARUN R. PEDNEKER, J.
DATE : 19th April, 2023

PER COURT :

1. Heard the learned Advocate for the petitioner.
2. The petitioners nomination is rejected as he has not produced the residence certificate as required under Rule 21 (4) of the Maharashtra Agriculture Produce Market Committee (Election to Committee) Rules 2017. The certificate of residence is to be issued by the Talathi, however in the instant case, petitioner has produced the certificate issued by the Gramsevak that he is resident of the area of APMC.
3. Further, there is also contra record available, that is, the certificate issued by the Tahsildar and as per the said certificate, the

petitioner is not a resident of the area within the operation of the APMC. In view of the same, I do not see a patent illegality in the order passed by the authorities. However, the petitioner is at liberty to raise his all grievances before the appropriate authority by filing appropriate proceedings.

4. In view of the above, the writ petition is dismissed with liberty as above.

(ARUN R. PEDNEKER, J.)

vj gawade/-.