

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

17 WRIT PETITION NO.5402 OF 2023

**Kishor Pandurang Kale,
The Secretary of Agricultural
Produce Marketing Committee**

Versus

- 1. District Deputy Registrar,
Co Operative Societies, Ahmednagar**
- 2. Krushi Utpana Bajar Samiti,
Shrirampur,
Through its Administrator,
Tal. Shrirampur, Dist; Ahmednagar.**
- 3. Inquiry Officer/Assistant Registrar,
Co-Operative Societies, Tq. Karjat,
District; Ahmednagar.**
- 4. Joint Director,
Marketing and Divisional
Joint Registrar, Co-Operative
Societies, Nashik,
Division Nashik.**

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Advocate for Petitioners : Ms. Rasika Santosh Pathak, Mr.Pathak
Santosh Balnath & Mr.Ippar Pawan K.

Advocate for Respondent No. 2 : Mr.Adhav D.R.

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CORAM : KISHORE C. SANT, J.

DATE : 17.07.2023.

PER COURT :

- 1. Heard by consent of the parties.**

2. The petitioner was working as a Secretary in Agricultural Produce Market Committee, Shrirampur. The APMC i.e. respondent No. 2 passed order on 30.03.2023 in respect of reduction of the petitioner in rank and the petitioner is now directed to work to the post of Supervisor. The petitioner filed an appeal and the same is pending before the Joint Director, Marketing and the Divisional Joint Registrar, Co-Operative Societies, Nashik Division Nashik. He also preferred an application for stay to the order dated 30.03.2023 passed by respondent No. 2. However, the appellate authority i.e. the Divisional Joint Registrar Co-Operative Societies, Division Nashik rejected the application for stay, by its order dated 24.04.2023. The petitioner, has therefore, approached this Court. It is the case of the petitioner that no proper opportunity was given to him before passing the order. The order dated 30.03.2023 is without following the due procedure of law. The petitioner, thus, prayed for stay to the order dated 30.03.2023.

3. The petition is vehemently opposed by the learned AGP appearing for respondent Nos. 1, 3 and 4, so also by learned Advocate for respondent No. 2.

4. Considering the submissions, this Court held that the order dated 30.03.2023 has already come into effect. No purpose would be served by entertaining the petition, specially when it is only against an interim order pending appeal, before respondent No. 2.

5. Respondent No. 2 to decide the appeal pending before him within a period of two months from today. Needless to say that the parties would co-operate in early disposal of the appeal. With this, the Writ Petition stands disposed off.

**(KISHORE C. SANT)
JUDGE**

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