

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

WRIT PETITION NO. 10391 OF 2022

The Agriculture Produce Market Committee
Through its Chairman,
Anil Sambhaji Karhale

.. **Petitioner**

Versus

The State of Maharashtra and others

.. **Respondents**

Mr. A. N. Irpatgire, Advocate for the Petitioner.

Mr. S. G. Karlekar, A.G.P for the Respondent Nos. 1 to 4.

**CORAM : S. V. GANGAPURWALA, A.C.J. &
GAURI GODSE J.**

DATED : 23RD JANUARY, 2023.

FINAL ORDER :

. Mr. Irpatgire, the learned counsel for the petitioner submits that, the extended term of the managing committee of the petitioner/APMC came to an end on 20.01.2023. The learned counsel further submits that, this Court has issued general directions to the authorities to conduct the elections of the petitioner/APMC. The process has to be completed on 30th April, 2023. The learned counsel submits that in such scenario the term of the managing committee be extended till the elections are concluded. The learned counsel relies upon the judgment and order of the Division Bench of this Court at Nagpur dated 07th December, 2022 passed in Writ Petition No. 4494 of 2022.

2. Mr. Karlekar, learned Assistant Government Pleader submits that, further extension of time cannot be granted beyond one year in view of the mandate of Sub Section 3 of Section 14 of the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963 (for short “Act of 1963”). The learned A. G. P. relies upon order dated 15.03.2022 passed by the Apex Court in Special Leave to Appeal (C) No. 4628 of 2022 in the case of Dari Vivid Karykari Sahkari Sanstha Maryadit and others Vs. State of Maharashtra and others.

3. Sub Section 3 of Section 14 of the Act of 1963 permits extension of one year. Under the provisions extension beyond one year if any granted now would not be in consonance with the statutory provisions. Reference can be had to the order of the Apex Court dated 15.03.2022 referred to supra.

4. The order relied by the petitioner dated December 07, 2022 in Writ Petition No. 4494 of 2022 does not discuss the provisions of the Act of 1963. In view of the dictum of the Apex Court referred to above, no further relief can be granted. The writ petition is disposed of. No costs.

[GAURI GODSE, J.]

[ACTING CHIEF JUSTICE]

bsb/Jan. 23