

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1007 OF 2023

Dhananjay Krishna Wadkar and Anr.

.. Petitioners

Versus

The State of Maharashtra and Anr.

.. Respondents

.....

- Mr. Saurabh D. Butala for Petitioners
- Mr. K. S. Thorat, AGP for State - Respondent

.....

CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 13, 2023

P.C.:

1. Heard learned Advocates for the parties. Perused the record of the case.

2. The present Writ Petition takes exception to the order dated 11.01.2023 passed by Respondent No. 2.

3. Mr. Butala, learned Advocate for Petitioners would submit that the said order is in the teeth of the order dated 15.09.2022 passed by Respondent No. 2 whereby the stay was granted. However, by virtue of the impugned order on the ground that the Advocate did not press for continuation of stay, the stay has been vacated.

4. I need not detain myself with the aforementioned order in view of the fact that the statutory Appeal No. 32 of 2022 filed under the provisions of Section 52 of the APMC Act, 1963 is pending before the Respondent No. 1.

5. On the last date, learned AGP was directed to take instructions from the Respondents as to within how much period, the said Appeal shall be disposed of. Today, Mr. Thorart, learned AGP on instructions from Respondent No. 2 would submit that the statutory Appeal No. 32 of 2022 shall be heard and disposed of within a period of six weeks from today. In view thereof, Respondents are directed to hear the Petitioners and pass a reasoned order while disposing of statutory Appeal No. 32 of 2022. In the event, if the order passed by the Respondents is against the Petitioners, the same shall be stayed for a further period of two weeks to enable the Petitioners to take appropriate measures.

6. In the meanwhile, the order of stay dated 15.09.2022 shall stand continued for a further period of eight weeks from today.

7. With the above directions, Writ Petition is disposed.

[MILIND N. JADHAV, J.]

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