



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.4633 OF 2023

Bajrang Rice Mill, Tah. Sadak Arjuni, Dist. Gondia Thr. Prop. Lilaram Sadashiv Gahane

-vs-

State of Maharashtra, Thr. Secretary, Food, Civil Supply and Consumer Protection Dept. Mantralaya,
Mumbai and ors.

WITH

WRIT PETITION NO.4654 OF 2023

Agrawal Rice Mill, Tah. Sadak Arjuni, Dist. Gondia Thr. Prop. Anandkumar Rameshwarlal Agrawal

-vs-

State of Maharashtra, Thr. Secretary, food, Civil Supply and Consumer Protection Dept. Mantralaya,
Mumbai and ors.

WITH

WRIT PETITION NO.4653 OF 2023

Baba Ramdeo Rice Mill, Saundad, Tah. Sadak Arjuni, Dist. Gondia Thr. Prop. Manish K. Lohiya

-vs-

State of Maharashtra, Thr. Secretary, Food, Civil Supply and Consumer Protection Dept. Mantralaya,
Mumbai and ors.

WITH

WRIT PETITION NO.4658 OF 2023

Pralhad Roshanlal Rice Mill, Pandhri, Tq. Sadak Arjuni, Dist. Gondia Thr. Prop. Rupesh P. Agrawal

-vs-

State of Maharashtra, Thr. Secretary, Food, Civil Supply and Consumer Protection Dept. Mantralaya,
Mumbai and ors.

WITH

WRIT PETITION NO.4655 OF 2023

Ms/ Narayan Mannalal Agrawal, Thr. Partner Vinodkumar Agrawal, Sadak Arjuni, Dist. Gondia

-vs-

State of Maharashtra, Thr. Secretary, Food, Civil Supply and Consumer Protection Dept. Mantralaya,
Mumbai and ors.

WITH

WRIT PETITION NO.4659 OF 2023

Jai Hanuman Rice Mill, Tah. Sadak Arjuni, Dist. Gondia Thr. Prop. Tekchand Kusan Gahane

-vs-

State of Maharashtra, Thr. Secretary, Food, Civil Supply and Consumer Protection Dept. Mantralaya,
Mumbai and ors.

WITH

WRIT PETITION NO.4657 OF 2023

Kienzel Rice Industries, Tumkheda Tah. Goregaon, Dist. Gondia Thr. Prop. Damodar K. Agrawal

-vs-

State of Maharashtra, Thr. Secretary, Food, Civil Supply and Consumer Protection Dept. Mantralaya,
Mumbai and ors.

WITH

WRIT PETITION NO.4656 OF 2023

Trimurti Rice Mill, Futala, Tah. Sadak Arjuni, Dist. Gondia Thr. Prop. Sanjeev T. Gahane

-vs-

State of Maharashtra, Thr. Secretary, food, Civil Supply and Consumer Protection Dept. Mantralaya,
Mumbai and ors.

Shri Ram Karode, Advocate for petitioners.

Shri A. M. Deshpande, I/c. Government Pleader for respondent Nos.1, 6 and 8.

Shri P. D. Meghe, Advocate for respondent No.5.

Shri S. S. Deshpande, Advocate for respondent No.3.

CORAM : A. S. CHANDURKAR AND MRS VRUSHALI V. JOSHI, JJ.

DATE : August 19, 2023

P. C.

1. We have heard the learned counsel for the parties and we have perused the documents on record especially Government Resolution dated 21/11/2022 as well as tripartite agreement entered into between the petitioners on one hand and the Maharashtra State Co-operative Marketing Federation Limited Through the District Marketing Officer and the District Supply Officer, Bhandara on the other hand.

2. The grievance of the petitioners is that though they are entitled to be supplied rice for processing in accordance with the respective agreements, the supply has been discontinued in view of the communication dated 22/05/2023 issued by the District Collector.

3. We find that under Clause-51 of the tripartite agreement the remedy for raising grievance with regard to any dispute in the matter of processing of rice between the petitioners and District Supply Officer is stipulated. Such dispute can be raised firstly before the District Co-ordination Committee and thereafter by filing appeal before the Divisional Commissioner. Since the contract between the parties itself stipulates the recourse to be taken in case of any dispute, we are

inclined to permit the petitioners to avail such remedy as per Clause-51 of the tripartite agreement.

4. Hence keeping all points raised in the writ petition open and with liberty to the petitioners to invoke Clause-51 of the tripartite agreement in accordance with law, the writ petitions are disposed of. Needless to state if such recourse to Clause-51 is taken, the District Supply Officer shall consider the same in accordance with law and take a decision on it. In case the petitioners invoke such remedy within a period of ten days from today, the grievance be redressed preferably within a period of six weeks of receipt of the same.

No costs.

(Mrs Vrushali V. Joshi, J.)

(A. S. Chandurkar, J.)