



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

967 WRIT PETITION NO. 10820 OF 2024

Agriculture Produce Market Committee Kille Dharur Through its
Secretary

VERSUS

The State of Maharashtra and others

Advocate for the Petitioner : Mr. Shivprasad G. Jadhavar
AGP for Respondents: Mr. N.D. Batule

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**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATED : 1st OCTOBER, 2024.

PER COURT :-

1. Respondent No.3, Divisional Director, Maharashtra State Co-operative Cotton Textile Mahasangh Limited, is not a 'State' under Article 12 of the Constitution of India. A Writ of Mandamus under Article 226 of the Constitution of India cannot be issued against the said Respondent. Merely because another Court has issued directions for granting equal monthly installments to the Petitioner with simple interest of 6% p.a. does not make Respondent No.3, a 'State' under Article 12 of the Constitution of India.

2. In view of above, the learned advocate for the Petitioner submits that the Petitioner desires to withdraw this Petition and approach the Civil Court, for filing a recovery suit.

3. Hence,, **this Writ Petition is disposed off** as withdrawn,
on instructions.

4. The disposal of this Petition will not be an impediment for
the Petitioner to avail of the remedy, as is permissible in law.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE , J.)

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