



IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 13226 OF 2023

DIWAKAR MAROTIRAO JADHAV

**VERSUS**

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND  
OTHERS

....

Mr. C. V. Thombre, Advocate for Petitioner

Mr. A. B. Girase, Government Pleader for Respondent – State

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

**DATE : 19.01.2024**

**PER COURT :-**

1. On 26.10.2023, we have passed the following order:-

*“1. As hearing progressed to some length in this matter, an issue arose as to whether the then Minister for Agriculture had actually conducted hearing in the matter, earlier and had delivered order on 29th June, 2023.*

*2. The copy of the above stated order is placed on record, which does not carry signature of the Minister. Learned Government Pleader submits that no such order was passed by the concerned Minister namely Shri Abdul Sattar. We, therefore, granted a pass over to the Petitioner to enable him to produce certified copy of the said order. After lunch, he has produced a compilation of five pages, which are collectively marked as "X-1" for identification. Vide the*

*said compilation, we find that the copy of the impugned order dated 20th September, 2023 carries signature of the Minister on each page. Same is dated 29th June, 2023.*

*3. Learned Government Pleader submits on instructions that he will have to see original file in the office of the concerned Department to find out as to whether such an order has indeed been passed by Shri Abdul Sattar, the then Minister for Agriculture or whether there is something amiss.*

*4. We are listing this petition on 6th November, 2023 in urgent category.”*

2. The learned Government Pleader has placed before us the original file in a sealed envelope. The envelope is opened in the open Court, wherein we found that the concerned Minister has passed an order on 29.06.2023. The proceedings before the said authority have culminated vide the said order.

3. The learned Government Pleader submits that as the said proceedings have already been concluded, the said order dated 29.06.2023, if not uploaded on the website, would be uploaded, expeditiously.

4. In view of the above, we declare that the said proceedings, that were reopened by a subsequent incumbent of the

said office in Mantralaya, oblivious of the fact that the proceedings have already been decided by the pronouncement of the said order dated 29.06.2023, would not survive.

5.           **This Petition is disposed off.** Needless to state, further proceeding initiated by the subsequent Minister, would not survive and stands disposed off.

6.           The original file is returned to the learned Government Pleader.

[ Y. G. KHOBRADE, J. ]

[ RAVINDRA V. GHUGE, J. ]

SMS