

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6432 OF 2024

Krushni Utpanna Bazar Samiti Pune

...Petitioner

Versus

The State of Maharashtra,
Government Pleader & Ors.

...Respondents

Mr. M. L. Patil for the Petitioner.

Mr. B. V. Samant, Addl. G. P. a/w. Mr. N. C. Walimbe, Addl. G. P. and
Mrs. T. N. Bhatia, AGP for Respondent-State.

**CORAM : A. S. CHANDURKAR,
JITENDRA JAIN, J.J.**

DATE : 30th APRIL 2024.

P.C. :-

1. The challenge raised in this Writ Petition is to the communication dated 8th April 2024 issued by the Assistant Returning Officer as well as the communication dated 18th April 2024 issued by the Nodal Officer requisitioning about 189 employees of the Petitioner out of 191 for election duty. During the course of arguments, the learned counsel for the Petitioner on instructions from the Secretary, Agricultural Produce Market Committee, Pune submits that a list of 125 employees would be relieved for undertaking election duty training. 60 employees would be necessary to enable the Petitioner to operate on the relevant days. The copies of two lists are tendered. The same are taken

on record and marked as “A” for identification.

2. The learned Additional Government Pleader has tendered a copy of communication dated 30th April 2024 issued by Respondent No.3 which is also taken on record and marked “B” for identification. By the said communication, Respondent No.3 has stated that about 21 Class-IV employees would be exempted from such election training.

3. In the light of the order passed by this Court in the case of *Mumbai Agricultural Produce Market Committee Vs. The Collector-Thane & Anr.* in Writ Petition No.2533 of 2009 dated 9th April 2009, we are inclined to accept the list of employees that has been tendered by the learned counsel for the Petitioners as document “A”. Accordingly, the Petitioner is permitted to retain 60 employees for undertaking its regular work and to relieve 125 employees for election training. The Respondent Nos.2 and 3 shall verify the two lists and take further steps in the matter.

4. The Writ Petition is disposed of in the aforesaid terms. Parties to act on an authenticated copy of the order.

[JITENDRA JAIN, J.]

[A. S. CHANDURKAR, J.]