

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 10103 OF 2024

Dilip Kashinath Kalbhor

...Petitioner

Versus

State Of Maharashtra Thr. The Principal
Secretary Cooperation Marketing And
Textile Dep. And Ors

...Respondents

....

Mr.P. S. Dani, Senior Advocate i/by Mr.Abhijit B. Kadam a/w
Ms.Sulajja Patil, for the Petitioner.

Mr.G.S. Godbole, Senior Advocate i/by Mr. Chetan R. Nagare, for
Respondent Nos.4 to 13.

Mr.M. L. Patil for Respondent No.3 – APMC.

Mr. Rohan Savant, A.G.P for the Respondent – State.

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CORAM : AVINASH G. GHAROTE, J.

DATE : 22nd JULY, 2024

P.C.:

1. The petition questions the order dated 16.07.2024 passed by the Director of Marketing, respondent No.2, on the ground, that the bye-laws of the APMC, Pune, required a minimum 10 days notice before convening a meeting, whereas, the impugned order directs a meeting to be held within eight days of the order. A further apprehension is expressed that the Secretary of the

APMC, would decide upon the notice.

2. In my considered opinion, the apprehension expressed by the learned Senior Counsel for the petitioner is misplaced for the reason that the Secretary has no power or authority, to decide on anything. All that he is required to do upon receipt of a requisition is to convene a meeting in terms of the bye-laws of the APMC by following the procedure as indicated therein.

3. The further contention that the meeting is to be requisitioned, within eight days from the passing of the order dated 16.07.2024 is also misconceived for the reason that operative paragraph-3 of the impugned order merely enjoin upon the Secretary to call a meeting within eight days which is however, subject to bye-laws of the APMC as is indicated in operative paragraph-3 of the impugned order. That being the position, I do not see any reason to interfere in the impugned order. Petition is dismissed. No costs.

(AVINASH G. GHAROTE, J.)