
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 11572 OF 2024

Raosaheb Dada Pawar Ghodganga Sahakari
Sakhar Karkhana

.. Petitioner

Versus

State of Maharashtra & Ors

.. Respondents

***Mr.Y.S. Jahagirdar i/b Rushikesh C. Barge, Advocates for the
Petitioner.***

***Mr.A. I. Patel, Addl.G.P., with Mr.Y. D. Patil, AGP, for
Respondent Nos.1 and 2.***

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**CORAM: B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.**
DATE: AUGUST 21, 2024

P. C.

1 The above Writ Petition is filed to quash the minutes of the meeting dated 23rd July, 2024 passed by the Respondents as also the decision taken by the Respondents for grant of the “Marginal Money Loan Routed through Government of Maharashtra” from NCDC, insofar as it does not consider granting the loan to the Petitioner. The Petitioner also seeks a Writ of Mandamus declaring that the Petitioner is entitled for grant of the “Marginal Money Loan Routed through the Government of Maharashtra” as

per the recommendation given by the two Committees (referred to in the Petition) .

2 The learned AGP appearing on behalf of Respondent Nos.1 and 2 waives service of notice and sought time to file an affidavit in reply to the above Writ Petition. In these circumstances, we direct that the affidavit in reply, if any, shall be filed on or before 4th September, 2024 and a copy of the same shall be served on the advocates for the Petitioner. If the Petitioner wants to file any affidavit in rejoinder, they may do so on or before 11th September, 2024 and serve a copy of the same on the learned AGP. For the time-being, we are not issuing notice to Respondent Nos.3 to 18 who are private Respondents and who are other sugar factories.

3 We direct that in the meanwhile, and without prejudice to the rights and contentions of the parties, till the next date of hearing, Respondent No.1 and/or Respondent No.2 shall not disburse [if not already disbursed], and hold on to, an amount of Rs.107.69 Crores as claimed by the Petitioner under the scheme of “Marginal Money Loan”, or any part thereof.

4 Stand over to 19th September, 2024.

5 This order will be digitally signed by the Private Secretary/
Personal Assistant of this Court. All concerned will act on production by fax
or email of a digitally signed copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]