



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 6983 OF 2024
IN
WRIT PETITION NO. 630 OF 2024**

Agricultural Produce Market Committee,
Jalna, through its Secretary .. Applicant

Versus

Ram Shamrao Patil and others .. Respondents

Shri R. N. Dhorde, Senior Advocate i/by Shri Pratik A. Bhosale,
Advocate for the Applicant.

Shri Sanjeev Deshpande, Senior Advocate i/by Shri D. P.
Palodkar, Advocate for the Respondent Nos. 1 and 2.

Shri A. B. Girase, G.P. for the Respondents/State.

**WITH
CIVIL APPLICATION NO. 6982 OF 2024
IN
WRIT PETITION NO. 633 OF 2024**

Agricultural Produce Market Committee,
Jalna, through its Secretary .. Applicant

Versus

Kalpana Badrinath Wagh and others .. Respondents

Shri R. N. Dhorde, Senior Advocate i/by Shri Pratik A. Bhosale,
Advocate for the Applicant.

Shri Sanjeev Deshpande, Senior Advocate i/by Shri D. P.
Palodkar, Advocate for the Respondent Nos. 1 and 2.

Shri A. B. Girase, G.P. for the Respondents/State.

**CORAM : S. G. MEHARE AND
SHAILESH P. BRAHME, JJ.**

DATE : 03RD MARCH, 2025.

ORDER :

. Heard Mr. Dhorde learned senior counsel for the applicants and Deshpande learned senior counsel for the contesting respondents. The original writ petitioners have impugned order dated 23.12.2023, by which the board of administrators consisting of 16 persons was appointed by the District Deputy Registrar, Co-operative Societies, Jalna. This arrangement has been made after bifurcating the A.P.M.C. Jalna and another A.P.M.C. has been started at Badnapur.

2. By these civil applications board of administrators seek leave to install solar panels, lease the plots in new market yard premises as well as in Sub Market Market Yard at Shevali and to grant permission to paint administrative building and main entry-exit gate of APMC situated in new Market Yard.

3. Learned senior counsel for the applicants placed on record the necessary sanction of the competent authority and he would submit that these are the works of urgent nature. These works fall under the policy decisions of the board of administrators. He would refer to order of this Court dated January 16, 2024, by which leave was granted to the board of administrators to seek the leave of this Court for major decision in the nature of policy making. He would submit that all these works should be done by following due procedure of law i. e. calling the tenders and it would be completed by following proper procedure. He would

submit that if such permission is granted, there would be no harm to the petitioners.

4. Per contra, learned senior counsel Mr. Deshpande for the contesting respondents would submit that other writ petitions are pending. The very order of bifurcation has also been challenged. However, in those petitions the proportionate distribution of assets and liability has been stayed. He fairly concedes that the administrator has also been appointed on A.P.M.C. Badnapur. However, while appointing board of directors politicians are appointed, which is not a legal decision. The petitioners have apprehension that there may be favoritism or illegality would be committed if leave as sought for is granted.

5. Perused the civil applications. There are five demands put forth before the Court to work on the same. After having gone through the necessary papers, we find that installation of solar panels is proposed to reduce the cost of electricity and erecting wire fencing is essential to protect the property of the A.P.M.C. as well as agriculturists. Rest of the requests appear not so urgent. Hence we are of the opinion that the applications are liable to be allowed.

6. In view thereof, we grant permission to the board of administrators to proceed further for installation of solar panels as well as wire fencing to the market yard at Sub Market, Shevali as per the sanction granted to them by the respective

authorities. The process should be done democratically. For the rest of the request, they may move a separate application if any urgent exigency arises. The civil applications are disposed of.

[SHAILESH P. BRAHME J.]

[S. G. MEHARE, J.]

bsb/March 25