

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.13356 OF 2024

Mula Sahakari Sakhar Karkhana .. Petitioner
Ltd.

Versus

The State of Maharashtra & Ors. .. Respondents

WITH

WRIT PETITION NO.13357 OF 2024

Karmayogi Kundlikrao Ramrao .. Petitioner
Jagtap Patil Kukadi Sahakari Sakhar
Karkhana Ltd.

Versus

The State of Maharashtra through .. Respondents
the Secretary, Co-Operation and
Textile Department & Ors.

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Mr.Nitin Gaware Patil with Mr.Divyesh Jain for the Petitioner
in both the Petitions.

Dr.Birendra Saraf, Advocate General with Mrs.Neha S. Bhide,
Govt.Pleader, Mr.O.A.Chandurkar, Addl. Govt. Pleader and
Mr.Y.D.Patil, A.G.P. for the State/Respondent Nos.1 to 3.

CORAM: ALOK ARADHE, C.J. &
BHARATI DANGRE, J.

DATED : 03rd FEBRUARY, 2025

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P.C:-

1. With consent of the learned counsel for the parties, the
Petitions are heard finally.

2. The Petitioners in the two Petitions are the sugar factories, who are aggrieved by inaction in not considering the loan proposals dated 05/04/2023 submitted by them. The Petitioners seek direction to Respondent Nos.2 and 3 to disburse the loan amount under the 'Marginal Money Loan' scheme within stipulated time frame.

3. Learned Advocate General Dr.Birendra Saraf has placed before us the order passed in Writ Petition No.11572 of 2024 (*Raosaheb Dada Pawar Ghodganga Vs. The State of Maharashtra & Ors.*) on 29/01/2025, which raised a somehow similar challenge and upon the deficiencies being notified and complied by the petitioner, a statement was made on behalf of the State Government that the loan proposal of the petitioner would be placed before the Cabinet Sub-Committee for fresh consideration, but the petition was opposed on the ground that as the decision was yet to be taken, it was premature. The Division Bench, therefore, opined that further adjudication of the petition is not called for, as an appropriate decision on the proposal of the petitioner was agreed to be taken and a following direction was issued :-

(i) An appropriate decision in respect of the petitioner's proposal be taken by the Cabinet Committee as expeditiously as possible and in any case within a period of 8 weeks from today.

(ii)

(iii) Except for what has been observed above, we have not dealt with any of the contentions in regard to any of the proposals which are either pending before the State Government or before the NCDC. All contention of the parties in that regard are expressly kept open."

4. The present Petitions also deserve disposal with a similar direction to the effect that an appropriate decision shall be

taken by the Cabinet Committee in respect of the Petitioners' proposal within a period of eight (8) weeks from today.

5. We must clarify that we have not dealt with the contentions with regard to any of the proposals, which is either pending with the State Government or before the NCDC and all the contentions of the parties in that regard are expressly kept open.

6. Both the Petitions are disposed of.

(BHARATI DANGRE, J.)

(CHIEF JUSTICE)