

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

WRIT PETITION NO. 15278 OF 2024

Shri Yogesh Ramesh Pawar ... Petitioner
versus
State of Maharashtra & Ors. ... Respondents

Mr.C.K.Bhangoji for the Petitioner.

Mr.B.V.Samant, Addl.GP with Ms.N.M.Mehra, AGP for Respondent
Nos. 1 and 3, State.

Mr.Pritesh Bohade for Respondent No.2- APMC.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 7th February, 2025

P.C. :-

1. This is a second round of the Petitioner to the High Court praying for reinstatement, despite the first order passed in the Appeal, dated 10th August, 2023.

2. In Writ Petition No. 16720 of 2023, this Court passed an order on 5th January, 2024 expressing that the grievance as regards the implementation of the order of the Appellate Authority was at issue, the Appellate Authority would consider the same with seriousness and comply with the order.

3. In view of the above order, the Deputy District Registrar, Cooperative Society, Nashik directed the Chairperson as well as the Secretary of the Agricultural Produce Market Committee (APMC) Malegaon, to comply with the directions set out in the order, vide its communication dated 1st April, 2024.

4. It is undisputed that neither has the order at issue been challenged by the APMC, nor has the APMC implemented it. We are of the *prima facie* view that in the light of the above factors, the present elected office bearers of the APMC have no respect for law and they do not desire to obey the directions of the High Court.

5. The learned Advocate, who has appeared on behalf of the APMC, submits that the Chairman of the APMC was in jail from August, 2023 to April, 2024. Thereafter, because the claim for validity certificate of the Petitioner was rejected and his Thakur Scheduled Tribe certificate was confiscated, the APMC was under the belief that he need not be allowed to join.

6. In view of the above, we find that this APMC is not only obstinate, but has no respect for law. We, therefore, direct that

the APMC elected office bearers shall stand prohibited from taking any policy decisions, major decisions or financial decisions or expenditure, except, statutory payments to the Authorities concerned and the payments of employees of the APMC, until compliance of the order at issue.

7. On the next date, subject to the APMC filing its affidavit in reply, on or before 28th February, 2025, we would consider whether an Administrator needs to be appointed on the APMC. Let the APMC explain its conduct before we proceed to pass further orders.

8. List this Petition on **10th March, 2025**, in the urgent admission category.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)