

S.R.JOSHI

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION

REVIEW PETITION NO.27 OF 2025
IN
WRIT PETITION NO.14361 OF 2024

Himmat Genda Pagar

... Review
Petitioner

In the matter of
Sandeep S. Kapadnis & Others

... Petitioner.

Versus

The State of Maharashtra & Another

... Respondents

Digitally
signed by
SMITA
RAJNIKANT
JOSHI
Date:
2025.02.20
19:05:41
+0530

SMITA
RAJNIKANT
JOSHI

WITH
REVIEW PETITION NO.28 OF 2025
IN
WRIT PETITION NO.14361 OF 2024

Agricultural Produce Market
Committee, Nampur, Dist. Nashik

... Review
Petitioner

In the matter of
Sandeep S. Kapadnis & Others

... Petitioner,

Versus

The State of Maharashtra & Another

... Respondents

Mr. Sanjay P. Shinde, for the Petitioner in Review Petition No.28 of 2025.

Mr. Dinesh P. Adsule i/b. Rutuja Y. Karwal and Mr. Vijay Kumar Dhakane, for the Petitioner in Review Petition No. 27 of 2025.

Mr. Prashant P. Kulkarni with Ms. Rachna Mamnani, for the Petitioner in Review Petition No.28 of 2025.

Ms. S. D. Vyas, Addl. G. P. with Mr. A. K. Naik, AGP for the Respondent-State.

CORAM: G. S. KULKARNI &
FIRDOSH P. POONIWALLA, JJ.
DATED: 12th FEBRUARY, 2025

P.C.

We have heard the learned Counsel for the Petitioner on these Review Petitions, we have also heard learned Counsel for the Original Petitioner and the learned AGP, appearing on behalf of the State.

2. At the outset, we may observe that the Review Petitioners were not parties to the proceedings of the respective Writ Petitions on which the Order dated 18th October, 2024 is passed of which a review is sought.

3. The ground that has been raised in the Review Petitions is a common ground namely – that this Court in passing the Order under the Review, has considered the effect of the Order dated 28th March, 2024 passed by the District Deputy Registrar, Co-operative Societies, inasmuch as in the operative order (paragraph 7 of the said Order under review) directs Respondent No.2 i.e. the Chairman/ Secretary, Nashik District Mathadi Unprotected Workers Board (Lasalgaon) and Deputy Commissioner of Labour Board, Nashik, to register the Petitioners within a period of four weeks from the said Order. The common contention as urged on behalf of the Review Petitioners is that the said Order dated 28th March, 2024 passed by the District Deputy Registrar, Co-operative Societies is subject matter of challenge in an appeal which is pending before the Director of Marketing, Maharashtra State, Pune being Appeal No.16 of 2024. It is hence submitted that the operative order passed by this Court is required to be reviewed. It is

submitted that this fact was not pointed out to the Court by the parties to the Writ Petition.

4. We may observe that if this is the only ground on which the review is being sought, considering the fact that the Review Petitioners had not appeared before the Court, keeping open all contentions of the parties in the pending Appeal, we are of the opinion that in the event, the Order dated 28th March, 2024 passed by the District Deputy Registrar, is set aside in the proceedings of the pending appeal, Respondent No.2 would be required to take an appropriate position. In such event, the benefit of the Order passed by this Court may not be available to the Original Petitioner. In such eventuality, we keep open all contentions of the parties including that of the Original Petitioners, to be agitated in appropriate proceedings.

5. In view of the aforesaid clarification, Review Petitions would not require further adjudication. They are disposed of in the above terms. No costs.

(FIRDOSH P. POONIWALLA, J.)

(G. S. KULKARNI, J.)