

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

**INTERIM APPLICATION NO.162 OF 2025
IN
WRIT PETITION NO.6232 OF 2024**

Maharashtra Rajya Mathadi Transport and
General Kamga Union ... Applicant

In the matter between

Bombay Goods Transport Association ... Petitioners

Versus

State of Maharashtra and Ors. ... Respondents

AND

WRIT PETITION NO.6232 OF 2024

Bombay Goods Transport Association ... Petitioners

Versus

State of Maharashtra Thr. Departments
of Marketing Co-operation & Textiles & Ors. ... Respondents

Mr. P.J. Thorat i/b. Ms. Aditi Naikare, for Petitioner in
WP/6232/2024.

Mr. A.S. Peerzada i/b. Mr. Iqbal Shaikh, for Respondent in
IA/162/2025.

Mr. B.S. Mahamulkar (Thr. VC) for Respondent No.5.

Mr. Yogesh Patil for Respondent No.3 – APMC.

Mr. A.I. Patel, Addl. G.P. a/w Smt. P.M. Joshi – Deshpande,
AGP for State.

Mr. Govind Shimple, Dy. Secretary, Grains Market, present.

**CORAM : M.S. Sonak &
Advait M. Sethna, JJ.**

DATED : 19 September 2025

P.C.:-

1. Heard Mr. Peerzada, learned counsel for the Applicant in Interim Application No.162 of 2025.

2. By this Application, the Applicant seeks impleadment as a Respondent in the Writ Petition. We think that the presence of the Applicant would assist in the disposal of this Petition. The Application is also quite fairly, not opposed by Mr. Thorat.

3. Therefore, the Interim Application is allowed, and the Applicant is directed to be impleaded as the 6th Respondent in this Petition. Mr. Peerzada accepts notice on behalf of the newly impleaded 6th Respondent. Mr Thorat states that the necessary amendment would be carried out forthwith. Re-verification is dispensed with.

4. In the main Petition, on 21 August 2025, our co-ordinate bench had made the following order: -

“1. As the matter is pending before the State Government since 1st March, 2024, in order to enable the learned A.G.P. to take instructions, as to within how-much time the Government will take a decision with respect to the Varai charges, stand over to 8th September, 2025. To be kept under the caption “For Fresh Admission”. ”

5. Mr. Patel, Additional Government Pleader seeks a short adjournment to obtain instructions. Since our above order was made on 21 August 2025, we expected instructions

as to the time limit within which the Government would take a decision with respect to Varai charges.

6. Mr Thorat pointed out that the Hon'ble Minister has stayed the Government Circular dated 16 January 2024, which exempted transporters from paying such Varai charges. He noted that the stay order, issued on 1 March 2024, remains in effect, and no decision has been made on this issue. He submitted that there was no jurisdiction to entertain proceedings against the circular or to stay the same.

7. Considering the above circumstances, we direct the State Government to decide this issue one way or the other as expeditiously as possible and in any event on or before 31 October 2025. For this, the Petitioner, 3rd, 5th and 6th Respondents must be heard and some reasoned order made and communicated to the parties.

8. Such a decision must be placed before this Court by 12 November 2025.

9. We list this matter on **21 November 2025** for further consideration.

10. At the request of Mr Patel, we direct the representatives of the Petitioner, 3rd, 5th and 6th Respondents to appear before the Hon'ble Minister or his O.S.D. on 25 September 2025, so that a date could be fixed for hearing and a decision would then be taken within the timeline now indicated by us.

11. Mr Patel states that, based on an authenticated copy of this order, the representatives who are directed to attend the office of the Hon'ble Minister or his OSD will be allowed entry in the Mantralaya. He says that he will immediately forward an authenticated copy of this order to the concerned Authorities so that there is no difficulty about access.

12. List this matter on 21 November 2025.

(Advait M. Sethna, J)

(M.S. Sonak, J.)