



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12167 OF 2025**

Yogesh Duryodhan Kadam ... Petitioner
versus
The State of Maharashtra and Ors. ... Respondents

Mr. Balkrishna Joshi i/by Mr. Virendra Pethe for Petitioner.
Mr. B.B.Dahiphale, AGP for Respondent Nos.1 to 3.
Mr. Rameshwar Gite for Respondent Nos.5 and 6.

CORAM: N.J.JAMADAR, J.

DATE : 24 SEPTEMBER 2025

P.C.

1. Heard the learned Counsel for the parties.
2. The Petitioner has again approached this Court to quash and set aside the order dated 26 May 2025, passed by the Joint Registrar, Co-op. Societies, thereby affirming the order dated 6 August 2024 passed by the District Deputy Registrar (R2), disqualifying the Petitioner from the post of Member of the Agricultural Produce Marketing Committee, Manmad, Tal. Nandgaon, Nashik.
3. The Petitioner had preferred a Petition being WP No.10598 of 2025 assailing the orders passed by Respondent Nos.2 and 3 as well as the order cancelling EWS certificate granted in favour of the Petitioner. By an order dated 7 August 2025, this Court disposed of the said Petition with a direction to the Additional Collector to decide the appeal preferred by the Petitioner against the order dated 25 November 2024, passed by the Sub-Divisional

Officer, cancelling EWS certificate in favour of the Petitioner.

4. By an order dated 4 September 2025, the Additional Collector, Malegaon, allowed the appeal preferred by the Petitioner and set aside the order dated 25 November 2024 passed by the Tahsildar, cancelling EWS certificate issued in favour of the Petitioner. Armed with the said order, the Petitioner has preferred this Petition seeking to quash and set aside the impugned order passed by the Respondent Nos.2 and 3.

5. Learned Counsel for Respondent Nos.5 and 6 informed the Court that the order dated 4 November 2024 passed by the Additional Collector, Malegaon has been stayed by the Additional Divisional Commissioner, Nashik, in RTS Appeal No.740 of 2025. A copy of the order dated 15 September 2025, passed by the Additional Divisional Commissioner, Nashik, is tendered for the perusal of the Court.

6. It appears that, the execution and operation of the order dated 4 September 2025 has been stayed and the appeal is posted for hearing on 8 October 2025.

7. The situation which thus obtains is that, the order dated 4 September 2025, on the basis of which the instant Petition has been filed, has been stayed by the Additional Divisional Commissioner, Nashik.

8. In any event, this Court is of the view that, once the EWS certificate is restored, the Petitioner shall approach the District Deputy Registrar seeking

revocation of the disqualification as the order of disqualification was passed on the ground that the EWS certificate granted in favour of the Petitioner was cancelled by the revenue authorities. In the event, the District Deputy Registrar refuses to revoke the order, the Petitioner may approach this Court.

9. Needless to clarify that the said situation may arise only after the determination of the appeal by the Additional Divisional Commissioner, Nashik.

10. Subject to the aforesaid clarification, the Writ Petition stands disposed.

(N.J.JAMADAR, J.)