



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.8284 of 2023

Shri Ashok Dattatraya Gadve

vs.

*Agricultural Produce Market Committee, Chikhli, through President, APMC,
Chikhli and others*

*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

Court's or Judge's Orders

*Mr. Bhavin Suchak a/w Mr. V.D. Ruparelia, Advocates for the Petitioner.
Mr. Rahul Kalangiware, Advocate for Respondent Nos.1 and 2.*

CORAM: ROHIT W. JOSHI, J.

DATE : 20th SEPTEMBER, 2025.

Heard.

02. An order of recovery of amount is passed against the present petitioner on the ground that he was a surety/guarantor for the defaulters, who are respondent Nos.1 to 3 in the proceedings bearing No.1/2023 initiated under Section 57(3) of the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963.

03. The contention of the learned Advocate for the petitioner is that he was never served with the notice in the said proceedings and yet an order of recovery is passed against him. The learned Advocate for respondent Nos.1 and 2 states that the notice was sought to be served on the petitioner by hand delivery, but he has refused to accept the notice. However, there is no documentary evidence to support the contention.

04. In that view of the matter, the impugned order dated 04/10/2023 passed by respondent No.3-Tribunal is quashed and set

aside as against the present petitioner-Ashok Dattatraya Gadve. The proceedings are remanded as against the petitioner for adjudication of the same afresh in accordance with law.

05. It is clarified that the order is not set aside against respondent Nos.1 to 3 in the said proceedings viz. Santosh Manohar Gade, Ankush Manohar Gade and Sudarshan Bhagwan Yelwande. The parties shall appear before respondent No.3-Tribunal on 13th October, 2025. Parties to note that fresh notice for appearance is not necessary.

06. The writ petition is disposed of in the aforesaid terms with no order as to costs.

JUDGE

**sandesh*