



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

WRIT PETITION NO.7965 OF 2025

AGRICULTURE PRODUCE MARKET COMMITTEE, NANDGAON
KHANDESHWAR, THR. SECRETARY

VERSUS

THE DIRECTOR OF MARKETING, MAHARASHTRA STATE,
PUNE AND OTHERS

<i>Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders</i>	<i>Court's or Judge's orders</i>
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Mr. P.A. Kadu, Advocate for Petitioner.
Mr. A.A. Madiwale, AGP for Respondent Nos.1 & 2-State.
Mr. N.A. Gawande, Advocate for Respondent No.4.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 19th DECEMBER 2025

PER COURT :-

1. Heard learned Advocate for the petitioner APMC as well as learned Advocate for the respondents.
2. By pointing out urgency of the subject matter, the petition was requested to be taken up for urgent hearing and accordingly, the petition is heard today.
3. By this petition, the petitioner APMC has challenged the order dated 20.11.2025, passed by respondent No.1, by which it has directed the petitioner APMC not to proceed further with the tender process in respect of land bearing Field Survey No.342, situated at

Loni Takali, admeasuring 1.03 H., which was put up for sale. The petitioner APMC has also challenged the order dated 05.12.2025, passed by respondent No.1, by which the restrictions on completion of tender process with respect to the said land was continued. The petitioner's grievance is also about allowing the application for intervention filed by respondent No.4 in the proceedings before respondent No.1.

4. It is pointed out that, with respect to the tender process initiated by the petitioner APMC, respondent No.2 has raised certain concerns based on the report of respondent No.1 District Deputy Registrar, Co-operative Society, Amravati, dated 28.10.2025, which mention certain irregularities with respect to the entire tender process.

5. The grievance raised by the learned Advocate for the petitioner APMC primarily is that the order to stop further process of tender was passed without any opportunity of hearing to the petitioner APMC and further the application for intervention filed by respondent No.4 was also allowed without affording an opportunity to file reply or hearing to the petitioner APMC. He submits that, since the impugned orders are passed by violating principles of natural justice, the instant petition be taken up for hearing despite availability of alternate remedy.

6. Learned AGP as well as learned Advocate for respondent No.4 advanced their submissions and pointed out that respondent No.2 has raised certain concerns about the irregularities and illegalities in the tender process and therefore, sought time to file affidavit-in-reply in the instant petition. However, it was also pointed out that the matter is pending before respondent No.1 and hearing is scheduled for today at 03.00 p.m., in the said matter and therefore, submissions were advanced on the basis of available record.

7. Having regard to the fact that the controversy is pending before respondent No.1, who has passed the impugned orders and in view of the need to grant opportunity of hearing to the petitioner APMC, it is in the interest of justice that respondent No.1 should allow the petitioner APMC to file its reply to the application for intervention and to grant opportunity of hearing before any interim order could be passed by respondent No.1.

8. Having regard to the entire controversy, it is directed that the tender process may not be finalized by effecting sale during the pendency of the proceedings before respondent No.1. As such, the impugned orders to this extent are not interfered. However, as regards the order dated 05.12.2025, allowing the application for intervention, the same is quashed and set-aside and it is directed that respondent

No.1 should consider the application afresh after considering the reply of the petitioner APMC.

9. Needless to state that the proceedings be conducted after affording an opportunity of hearing to all the concerned persons particularly with respect to the issues/objections raised about the tender process.

10. In view of the above, the writ petition is disposed of with no order as to costs.

(PRAFULLA S. KHUBALKAR, J.)

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