



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

WRIT PETITION NO.881 OF 2026

AGRICULTURE PRODUCE MARKET COMMITTEE, NANDGAON
 KHANDESHWAR, THR. ITS SECRETARY

VERSUS

THE DIRECTOR OF MARKETING, MAHARASHTRA STATE,
 PUNE AND OTHERS

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. P.A. Kadu, Advocate for Petitioner.
 Ms. P.T. Joshi, AGP for Respondent Nos.1 & 2-State.
 Mr. R.S. Suryawanshi, Advocate for Respondent No.3.
 Mr. N.A. Gawande, Advocate for Respondent No.4.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 06th APRIL 2026

PER COURT :-

1. Heard Mr. P.A. Kadu, learned Advocate for the petitioner APMC as well as Mr. N.A. Gawande, learned Advocate for respondent No.4.

2. The petitioner APMC takes exception to an order dated 23.01.2026, passed by respondent No.1, Director of Marketing, thereby allowing the intervention application filed by respondent No.4, in the proceedings filed by the petitioner APMC seeking permission for sale of its land.

3. The controversy in the instant petition is with respect to the tender process initiated by the petitioner APMC for sale of

agricultural land bearing Field Survey No.342, admeasuring 1.03 H.R., situated at Loni Takali, Tq. Nandgaon Khandeshwar, Dist. Amravati. While entertaining a challenge to an earlier order dated 05.12.2025, passed by respondent No.1, in Writ Petition No.7965 of 2025, this Court had directed respondent No.1 to reconsider the application for intervention and pass fresh order and by order dated 19.12.2025, the matter was remanded to respondent No.1. In this background, the application for intervention is reconsidered and the impugned order dated 23.01.2026 is passed.

4. The primary contention canvassed on behalf of the learned Advocate for the petitioner APMC is that the impugned order is cryptic and non-speaking as it does not demonstrate any reasons for arriving at inferences for allowing the application for intervention. He submits that the impugned order, being unreasoned and cryptic, is unsustainable and deserves to be quashed and set-aside. In support of his contentions, he relies on judgment of the Hon'ble Supreme Court in the case of *Kranti Associates Private Limited and Another Vs. Masood Ahmed Khan and Others*, [(2010) 9 SCC 496] and by pointing out that the position of law as reflected in para No.47 of the judgment, submits that the impugned order is unsustainable on this count alone.

5. While opposing the petition, learned Advocate for respondent No.4 pointed out that the Secretary of the petitioner APMC is attempting to carry out the tender process against the interest of APMC and advanced arguments on merits. However, the primary contention of the learned Advocate for the petitioner APMC as regards the impugned order being unreasoned and cryptic needs to be given consideration.

6. A perusal of the impugned order shows that respondent No.1 has recorded the contentions of the parties and by referring to certain events, has straightaway drawn inference and allowed the application for intervention. The impugned order does not at all mention any reasons for arriving at inferences for allowing the application for intervention neither does it refer to the contentions of the parties. The impugned order is, therefore, unsustainable on this count alone.

7. It has to be noted that since the matter was already remanded to respondent No.1 for deciding the application for intervention afresh, respondent No.1 ought to have been mindful of the requirements to scrupulously follow the procedure of granting proper opportunity of hearing, so also of recording the precise reasons for arriving at inferences. The impugned order, being unreasoned and

cryptic, does not stand to the scrutiny of law. Reliance placed by the learned Advocate for the petitioner APMC on the case of **Kranti Associates (Supra)**, therefore, appears to be appropriate. Hence, the impugned order deserves to be quashed and set-aside on this count alone. In view of this, following order is passed.

ORDER

- I. The writ petition is partly allowed.
 - II. The order dated 23.01.2026, passed by respondent No.1 is quashed and set-aside.
 - III. The matter is remanded to respondent No.1 for deciding the application for intervention filed by respondent No.4, afresh after granting an opportunity of hearing to all the parties concerned.
 - IV. All contentions on merits are kept open.
8. Needless to state that respondent No.1 is directed to pass a well reasoned order expeditiously.
9. In view of the above, the writ petition is disposed of with no order as to costs.

(PRAFULLA S. KHUBALKAR, J.)