



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

WRIT PETITION NO.2570 OF 2026

AGRICULTURAL PRODUCE MARKET COMMITTEE, ASHTI, THR.
CHAIRMAN, RAJENDRA C. KHAWSHI AND ANOTHER

VS

THE STATE OF MAHARASHTRA, THR. SECRETARY, DEPT. OF COOPERATION,
MARKETING AND TEXTILE AND ANR.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. A.M. Ghatge, Advocate for the petitioner/s
Mr. D.P. Thakre, Addl. G.P. for the respondent Nos.1 and 2/State

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATE : 30.03.2026

1. Heard the learned counsel for the petitioners.
2. The petitioners have approached this Court challenging the impugned communication dated 24.02.2026, Page 66 (Annexure-G), issued by the respondent No.2 – District Deputy Registrar, indicating his intention to bifurcate petitioner No.1, the Agricultural Produce Market Committee (APMC), into two separate APMCs, namely APMC Ashti and APMC Karanja (Ghadge).
3. A perusal of the impugned communication dated 24.02.2026 reveals that respondent No.2 has initiated proceedings for bifurcation of petitioner No.1 – APMC into two separate APMCs, namely APMC Ashti and APMC Karanja (Ghadge).
4. The aforesaid communication is in compliance of the

statutory requirement of Section 44(1) of the *Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963* (for short, "the APMC Act), which mandates the respondent No.2 to seek consultation of the petitioner No1-APMC.

5. It is relevant to refer to the judgment dated 21.07.2025 passed by this Court in Writ Petition No.7177/2024 (*Rajendra s/o Champatrao Khawshi vs. State of Maharashtra and Ors.*), wherein this Court has set aside a similar division of petitioner No.1-APMC on the ground of non-compliance of Section 44 of the APMC Act, particularly the requirement of consultation contemplated thereunder.

6. Section 44 of the aforesaid Act provides for effective consultation with the concerned Marketing Committee proposed to be bifurcated, as well as with the State Marketing Board. The impugned communication dated 24.02.2026 is merely a step taken at the instance of respondent No.2 to initiate such consultation, and cannot be said to be in non-compliance with Section 44 of the Act or the judgment of this Court in *Rajendra s/o Champatrao Khawshi* (supra).

7. In view of the above, we are not inclined to entertain the present challenge to the impugned communication dated 24.02.2026.

8. However, the learned counsel for the petitioners has contended that any decision that may be taken by respondent No.2 could be prejudicial to the petitioners, particularly on the ground that the impugned communication refers to the Government Resolution dated 17.04.2025, wherein petitioner No.1–APMC has not been included. It is further submitted that the financial viability of petitioner No.1–APMC is such that it cannot be bifurcated into two separate committees.

9. The aforesaid contentions raised on behalf of the petitioners shall be duly taken into consideration by respondent No.2 while passing an appropriate order under Section 44 of the Act, after effective consultation with petitioner No.1–APMC and the State Marketing Board.

10. It is made clear that the grounds raised in the present petition are kept open. It is further directed that the decision of respondent No.2 – District Deputy Registrar, Co-operative Society, for the reasons stated above, shall not be given effect to for a further period of four weeks from the date of its communication to petitioner No.1, so as to enable petitioner No.1 to challenge the same before this Court.

Accordingly, the writ petition is **disposed of** in the above terms. No order as to costs.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)