

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

903 CIVIL APPLICATION NO.15388 OF 2022 IN WP/4750/2022
WITH
CA/15996/2022 IN WP/4750/2022

DEEPAK SHIVRAM PATARE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH
THE SECRETARY AND OTHERS

...
Advocate for Applicants : Mr. Hon Ashwin V.
GP for the respondent – State : Mr. D.R.Kale
Advocate for respondent no. 2 : Mr. V.H. Dighe
...

**CORAM : MANGESH S. PATIL &
Y. G. KHOBRADE, JJ.**

DATE : 30 NOVEMBER 2022

PC :

Heard both sides.

2. While deciding writ petition no. 4750 of 2022, by the order dated 13-06-2022, the elections in respect of the Agricultural Produce Market Committee, Shrirampur (**APMC**) was directed to be concluded on or before 30-11-2022.

3. The State Co-operative Election Authority as also the original petitioners by moving separate applications are seeking extension of time in view of the supervening events.

4. Learned advocate Mr. Dighe for the State Co-operative Election Authority and Mr. A.V. Hon for the original petitioners submit that the members of the Gram Panchayat are the voters at the election of the Managing Committee of an APMC. Since the State Election Commissioner has already commenced the process of holding elections of the Gram Panchayats throughout the State, the elections for APMC as per the directions of this Court may be postponed till the conclusion of the elections of the Gram Panchayats.

5. They further submit that in view of the subsequent ordinance of the State Government, even all the farmers are now being made eligible to contest the elections of the APMC. Such was a submission made even on the last date i.e. 23-11-2022 when the matter was before this Court. It would be, according to them, therefore, appropriate that the time for holding the elections is extended. They further submit that though in the applications, they have prayed to extend the time till 31-01-2023, in many similar matters, this Court has extended the time to hold the elections, till 15 March 2023.

6. The request seems to be innocuous. If all the farmers are being made eligible to contest the elections of the APMC and even ordinance has been signed by the Hon'ble Governor, and when even the elections of the Gram Panchayats are underway, and the Gram

Panchayat members are included in the franchise for the APMC elections, it would be appropriate to allow applications and extend the time.

7. We accordingly extend the period till 15 March 2023.

8. Civil applications are disposed of.

[Y. G. KHOBRADE]
JUDGE

[MANGESH S. PATIL]
JUDGE

arp/