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SLP(C)No. 2652 OF 2003
ITEM No.209

Court No. 2

SECTION IX
A/N MATTER

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No.2652/2003
(From the judgment and order dated 22/10/2002 in WP 1887/00
of The HIGH COURT OF BOMBAY AT AURANGABAD)

JALGAON DISTRICT FERTILISERS

Petitioner (s)

VERSUS

STATE OF MAHARASHTRA & ORS.
(With Appln(s). for intervention)
(For Final Disposal)

Respondent (s)

Date : 07/11/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU
HON'BLE MR. JUSTICE G.P. MATHUR

For Petitioner (s)Mr. Aniruddha P Mayee, Adv.

For Respondent (s) Mr. Mukesh K. Giri,Adv.

Mr. U.U. lalit, Adv.

Mr. C. Ravichandran Iyer,Adv.

UPON hearing counsel the Court made the following
O R D E R

Application for intervention is unnecessary and is disposed of as such.
Leave granted.

The appeal is allowed in terms of the signed order.

[Charanjeet Kaur]
Court Master

[Om Prakash]
Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 8761 OF 2003
(arising out of SLP(C) NO. 2652/2003)

Jalgaon District Fertilisers

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Appellant (s)

Versus

State of Maharashtra & Ors.

....

Respondent (s)

O R D E R

Leave granted.

It is brought to our notice that a similar matter is pending before the Principal Bench of the Bombay High Court raising the question whether licences for sale/import of seeds should be granted only to Diploma/Degree holders in Agriculture or to the firms which employ such qualified persons. After issue of Rule an interim order has been passed in it. But another matter that came up before the Aurangabad Bench of the High Court was dismissed. This appeal is filed against that order.

We think it appropriate that both these matters should have been considered and disposed of together. We, therefore, set aside the order made by the High Court, restore writ petition No. 1887/2000 to its original number and remit the matter to the High Court for fresh consideration in accordance with

law. It will be open to the Chief Justice of the High Court to list both these matters before any of the Benches of his choice. The appeal is allowed accordingly.

.....J[S. RAJENDRA BABU]

.....J [G.P. MATHUR]

NEW DELHI,
NOVEMBER 7, 2003.