

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

908 WRIT PETITION NO. 4390 OF 2014

SHRI. SANT MUKTAI MAHILA BACHAT GAT, THR. ITS PRESIDENT
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr. Girish L. Awale, Adv. for petitioner;
Mr. NB Patil, AGP for Respondents: 1 & 2;
Mr. Bachate Pralhad D., Adv. For R/4

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CORAM : R. M. BORDE & P.R. BORA, JJ.

Dated: August 06, 2015

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PER COURT :-

1) The petitioner is praying for quashing and setting aside Resolution dated 19.5.2014 passed by Grampanchayat, Nagral, favouring Respondent No.4 in the matter of allotment of fair price shop. It is the contention of the petitioner that the proposal of the petitioner for operating fair price shop was presented in earlier point of time; and as such, preference ought to have been given to the petitioner and the Gram Sabha ought to have recommended the proposal of the petitioner.

2) It is pointed out that the proposal of the petitioner as well as Respondent No.4, were placed before the Gram Sabha and the Gram Sabha recorded a decision, by majority, to recommend proposal of Respondent No.4 for allotment of the fair price shop. Since amongst the two competitors/claimants, the Gram Sabha has recommended the proposal of Respondent No.4, we do not find any inconsistency or irregularity in the decision making process of allotment of the fair price shop. The writ petition is devoid of substance and stands rejected.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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