

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

WRIT PETITION NO. 5483 OF 2016

Suhas s/o Ramdas Nemade

.. Petitioner

versus

The State of Maharashtra and others

.. Respondents

Mr. R. S. Deshmukh, Advocate for petitioner

Mr. S. K. Tambe, Asst.Govt.Pleader for respondents no. 1 to 4

CORAM : SUNIL P. DESHMUKH, J.

DATE : 4th August, 2016

ORDER :

1. The petitioner is before this court, purportedly aggrieved by an order of revisional authority in his own revision preferred against order passed by the appellate authority - Deputy Commissioner (Supplies) Nasik Division, Nasik, whereunder the order passed by the District Supply Officer, cancelling fair price shop has been set aside.

2. The revisions authority - the Honourable Minister although has ostensibly stated that the revision is being rejected, yet matter appears to have been remanded before the Deputy Collector for re-hearing granting fresh opportunities to the parties concerned.

3. Learned counsel strenuously urges this court to consider, as a matter of fact, existence of respondent no. 3 -

institution/organization is debatable since the information elucidated under the Right to Information Act, shows that such an institution is not in existence, whereas the Deputy Commissioner while passing the order observed that photo copy of registration of organization/institution has been produced.

4. As such, it appears that this is a disputed aspect which will have to be considered properly and for several other reasons it appears that revisional authority thought it fit to relegate the parties to appellate stage before the Deputy Commissioner.

5. It does not appear to be such a gross case the order impugned requires any correction under the discretionary powers by this court.

6. Writ petition, as such, is not being entertained and is rejected. Since the matter is pending for quite a long time, the appellate authority may consider to go on with the same expeditiously.

SUNIL P. DESHMUKH,
JUDGE

pnd