

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4215 OF 2016

NIMBA RAJARAM MALI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Girish S.Rane
AGP for Respondents: Mr. A.V. Deshmukh

CORAM : S.V. GANGAPURWALA &
K.K. SONAWANE, JJ.

DATE : 3rd May, 2016.

PER COURT:

1] Heard. We have heard the learned counsel for respective parties. An affidavit in reply is filed by the Tahsildar Amalner. Para. 5 of the affidavit in reply reads thus :-

“5. It is further submitted that, so far as order dated 16.1.2013 which is on page no.9 and 11 of the Writ Petition which bears same outward number is not found in the record of Respondent no.3's office. It is also submitted that, the representation dated 17.03.2016 filed by the petitioner along with others who are similarly situated persons to the District Supply Officer, is now being enquired by the Respondent No.3 and after haering all the concerned necessary decision on the said representation will be taken. The lists which are placed on record on page no.9 and 11 will also be verified whether those lists are genuine or created document. After the enquiry the truth will come out and thereafter necessary order in this regard will be passed by the Respondent No.3. If petitioner and others are found eligible for the food grains on the basis of entitlement they will be supplied food grains accordingly.”

2] it is manifest that the respondent has decided to conduct an enquiry with regard to the genuineness of the documents as relied upon by the petitioner. Considering the above, we would not enter into the factual aspects of the matter. The respondent, as per its affidavit, shall conduct an enquiry after considering all the relevant aspects of the matter and shall complete the enquiry, expeditiously, preferably within two months, so also, shall decide the representation of petitioner after hearing all interested parties. Writ petition is accordingly disposed of. No costs. In view of the disposal of the writ petition, civil application stamp No. 15305 of 2016 also stands disposed of.

[K.K. SONAWANE,J.]

[S.V.GANGAPURWALA,J]

grt/-