

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.1826 OF 2005

Babu S/o Pandurang Pharke Vs. The State of Maharashtra and others.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.B.R.Sontakke Patil, advocate for the petitioner absent.

Mr.V.S.Badakh, A.G.P. for the State.

Mr.A.M.Kulkarni, advocate for Respondent No.5 absent.

**CORAM : S.V.GANGAPURWALA AND
K.L.WADANE, JJ.**

Date : 15.10.2016.

PER COURT :

1. On 28.6.2016, when the matter was called out, the counsel for petitioner was absent. However, in the interest of justice, we have adjourned the matter. Today also when the matter is called out, none appears for the petitioner.

2. We have heard learned A.G.P.

3. The petitioner assails the order passed by the Respondent No.3, Respondent No.2 and Respondent No.1 with regard to the authorisation of the fair price shop. The District Supply Officer has

cancelled the authorisation of fair price shop. The appeal filed by the Respondent No.5 was allowed. The Revision filed by the petitioner is dismissed. Aggrieved thereby, the present Writ Petition. The authorisation of said fair price shop is restored in the year 2003 and since then it appears that Respondent No.5 is running the fair price shop. The appellate authority and the Respondent No.1 have considered rival contentions and has passed the order. The reference is also made to the Criminal case filed. The said Criminal case will take its own course and after the same is decided, the parties can proceed in terms of the order that would be passed in the Criminal case. With the knowledge that Respondent was working in the Water Supply Department, the shop was sanctioned. He was working on temporary basis.

4. In case if some further misconduct occurs, the petitioner and/or any such other person may approach the District Supply Officer.

5. Considering above, the Rule is discharged. No costs.

(K . L . WADANE , J .)

(S . V . GANGAPURWALA , J .)

Dt.15.10.2016.
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