

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

Writ Petition No. 9085 of 2015

District : Beed

Ramkrishna Hari Mahila Bachat Gat,
Dharmapuri, Taluka Parli (Vaijnath),
District : Beed, through its President
Sau. Vidya Ashok Phad,
Age : 49 years,
Occupation : Social Service,
R/o. Dharmapuri,
Taluka : Parli Vaijnath,
District : Beed.

.. Petitioner.

versus

1. The State of Maharashtra,
through its Secretary,
Department of Food, Civil
Supplies & Consumer Protection,
Mantralaya, Mumbai - 400 032.
2. The District Collector,
Beed, District : Beed.
3. The District Supply Officer,
Beed, District : Beed.
4. The Tahsildar,
Parli Vaijnath,
District : Beed.

.. Respondents.

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Mr. Sachin S. Deshmukh, Advocate, for the petitioner.

*Mr. S.N. Morampalle, Asst. Government Pleader, for
respondent nos.1 to 4.*

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**CORAM : S.V. GANGAPURWALA &
A.M. BADAR, JJ.**

DATE : 17TH FEBRUARY 2016

COURT'S ORDER *(Per S.V. Gangapurwala, J.) :*

1. Mr. Deshmukh, the learned Counsel for the petitioner, submits that the petitioner has filed an application in the light of Government Resolution dated 3-11-2007 for allotment of fair price shop in favour of Self-Help Group. The petitioner is a Self-Help Group operated by women. As such, the petitioner is entitled for precedence. According to the learned Counsel, even as per the affidavit filed by the respondents, some of the card holders are attached to the fair price shop of adjoining village. There is requirement of fair price shop. The respondents be directed to issue publication in that regard.

2. Mr. Morampalle, the learned Asst. Government Pleader for the respondents, states that at present the villagers have not demanded any new fair price shop. Three licenses in respect of fair price shop are already operating in the said village. The population of the village is around 7124. As and when the demand would be raised and if fair price shop is to be opened, then necessary publication would be made as per the Government Resolution dated 3-11-2007.

3. Today the petitioner cannot claim any legal right. As yet, no publication has been issued inviting applications for allotment of fair price

shops. The affidavit states that three licenses of fair price shops are already allotted and there are no demands of villagers to allot new fair price shop. As per earlier affidavit, some of the card holders are attached to other village but the same card holders do not seem to have made any grievance.

4. A statement is made in the affidavit in reply, that if the villagers demand, in that event, considering population of the village, the respondents will publish paper publication as per the Government Resolution dated 3-11-2007.

5. Considering the aforesaid statement made on behalf of the respondents, the Writ Petition is disposed of. No costs.

(A.M. BADAR)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

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