

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2111 OF 2016

Kusumbai W/o Vithal Pawar

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr. C.R. Thorat advocate for the petitioner

Mr. S.K. Kadam, Assistant Government Pleader for Respondents

WITH

WRIT PETITION NO.2123 OF 2016

Avinash S/o Dnyaneshwar Mate

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr. C.R. Thorat advocate for the petitioner

Mr. V.S. Badakh, Assistant Government Pleader for Respondents

WITH

WRIT PETITION NO.2166 OF 2016

Bhausahab S/o Kadu Kale

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr. C.R. Thorat advocate for the petitioner

Mr. S.K. Kadam, Assistant Government Pleader for Respondents

CORAM : **R.M. BORDE, J**

(Dated : 28th MARCH, 2016.)

PER COURT :-

1 The authorization issued in favour of the petitioners to

operate fair price shop has been cancelled, after due enquiry conducted by the District Supply Officer. Orders passed by the District Supply Officer, on consideration of evidence, have been confirmed by the Deputy Commissioner – Supply, as well as by the Honourable Minister.

2 It is not a contention of the petitioners that, the principles of natural justice have not been followed. No interference is called for in the finding of the facts recorded by the authorities, in exercise of extraordinary jurisdiction under article 227 of the Constitution of India.

3 The petitioners contend that, in similar circumstances, the Honourable Minister has caused interference and permitted the shop owners to continue with the authorization on condition of payment of penalty. It is noticed that, similar orders passed by the Honourable Minister were matters of challenge before this Court. Such of those orders have been either stayed or set aside by this Court. The petitioners cannot claim parity in respect of orders those are prima facie illegal. The writ petitions are devoid of substance and stand dismissed.

(R.M.BORDE, J)