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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CIVIL APPLICATION NO.4467/2017

IN

WRIT PETITION NO.8859/2011

Hanuman Namdeo Khanpate.

...Applicant..
(Org.res.no.4)

Versus

The State of Maharashtra & others.

...Respondents...

.....

Shri A.A. Kulkarni, Advocate for applicant.

Shri M.B. Bharaswadkar, AGP for respondent nos.1 to 3.

Shri S.A. Nagarsoge, Advocate for respondent no.4.

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CORAM: M.S. SANKLECHA, J.

DATE: 05.05.2017

ORDER :

1] This civil application has been taken out to stay the proclamation dated 27.2.2017 inviting applications for allotment of fair price shops and retail kerosene licence for the village Mauje Khaikheda Tq.Sengaoon Dist.Hingoli. This impugned proclamation has been issued in the face of the order of this Court dated 7.2.2012 in Writ Petition No.8859/2011.

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2] In the above petition, the applicant herein is respondent no.4, whose allotment of fair price shop licence was upheld by the order dated 14.9.2011 of the State Government. The petitioner / respondent no.4 in this application, has challenged the order dated 14.9.2011. The petition was admitted and interim relief was granted in favour of the petitioner resulting in the respondent no.4 not being able to enjoy the allotment of a fair price shop licence as granted by the State Government. The petition is awaiting final disposal. In the face of the aforesaid interim relief order, the impugned proclamation has been issued. The impugned proclamation was issued on 27.2.2017.

3] Mr.Bharaswadkar, learned AGP for respondent nos.1 to 3 in this civil application, states that he has no instructions as to the steps taken after 27.2.2017 till date, consequent to the proclamation.

4] In the above view, the civil application is allowed by staying the proclamation dated 27.2.2017 from today.

(M.S. SANKLECHA, J.)