

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9743 OF 2017

SAVITRIBAI PHULE MAHILA BACHAT GAT,
MOUJE ANANDWADI, NANDED

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioner : Shri G.V. Mohekar
h/f Shri A.B. Shinde.

AGP for Respondent No. 1 to 4 : Shri S.K. Tambe.
Advocate for Respondent No. 5 : Shri V.B. Dhage.

CORAM : RAVINDRA V. GHUGE, J.
Dated : 07th August, 2017

PER COURT :

1. The petitioner is aggrieved by the order dated 18/03/2017, by which, the appeal preferred by respondent No. 5 herein-Raosaheb Piraji Kendre, has been partly allowed. The order of the D.S.O. dated 28/09/2016, granting a fair price shop license to the petitioner at Mauje Anandwadi, Tq. Kandhar, Dist. Nanded, has been set aside considering that the Revision No. 483/2016, filed by Raosaheb Piraji Kendre is pending before

the Hon'ble Minister, Food and Civil Supplies, State of Maharashtra. The learned AGP submits that the petitioner has a statutory remedy of challenging the impugned order by filing a Revision before the Hon'ble Minister, Food and Civil Supplies.

2. It appears that the petitioner/society and Raosaheb Piraji Kendre would be affected by the result of the proceedings pending before the Hon'ble Minister and the proceedings initiated on account of the grant of the fair price shop license to the petitioner by the order of the DSO dated 28/09/2016. It can be gathered that Revision Petition No. 483/2016, filed by Raosaheb Piraji Kendre, would have its impact on the claim of the petitioner for a fair price shop license at the same place.

3. Considering the peculiarity of this matter and the fact that the petitioner can assail the impugned order in a revision, this petition is disposed of, with liberty to the petitioner to prefer a Revision Petition before the Hon'ble Minister, Food and Civil Supplies. If such a Revision is filed within four weeks from today and if Revision No. 483/2016, filed by Raosaheb Piraji

Kendre, is not yet decided, the Hon'ble Minister would hear both these Revision Petitions together, in order to avoid conflicting conclusions.

(RAVINDRA V. GHUGE, J.)

S.P.C.