

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

18 WRIT PETITION NO.2022 OF 2018

GANGALI MATA MAHILA BACHAT GAT THROUGH ITS PRESIDENT
USHA ANGAD RATHOD

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Choudhari Sushant B

AGP for Respondents State: Mr. S.M. Ganachari

Advocate for Respondent No.5 : Mr. V. B. Ganachari

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

DATE : 14th February, 2019

PER COURT :

1. The petitioner is challenging allotment of fair price shop to respondent no.5 on the ground that as per G.R. dated 6th July, 2017 the petitioner is at Serial No.2 in the preference list, whereas respondent No.5 is at Serial No.3. However, the petitioner is shown at Serial No.5 of the preference list. The same is illegal. The petitioner is a registered Mahila Bachat Gat and is registered in the year 2015. The said fact was also mentioned in the application filed by the petitioner pursuant to the advertisement.

2. We have also heard the learned A.G.P.
3. It appears from the application filed by the petitioner that the petitioner has not mentioned the Registration No. nor has annexed the registration certificate of the Bachat Gat.
4. In the absence of Registration Certificate of the Bachat Gat or Registration Number, the authorities could not have placed the petitioner at Serial No.2. It is submitted that the respondent No.5 has commenced the fair price shop as per the allotment order issued by the authority.
5. In the light of above, the writ petition is dismissed. No costs.

(A. M.DHAVALA, J.)

(S.V.GANGAPURWALA, J.)

JPC