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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5949 OF 2018

ABASAHEB S/O BAPUDEV GOJRE

... PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND ORS. ... RESPONDENTS

...
Advocate for Petitioner: Mr. S.S. Thombre
AGP for Respondents-State: Mr. A.B. Chate
Advocate for Respondent No.6: Mr. S.P. Kakade (Matkar)
...

CORAM : V.K. JADHAV, J.
DATED : 5th NOVEMBER, 2019

PER COURT :

1. Learned counsel for the petitioner submits that the impugned order of suspending the licence to run fair price shop granted in favour of the petitioner has been passed pending inquiry and the said inquiry has yet not been commenced. Learned counsel submits the direction may be given to the concerned authority to complete the inquiry in a time bound manner. The learned counsel for the petitioner submits that even in the impugned order, the reference has not been given to the relevant G.R. dated 12.11.1991.

2. Learned counsel appearing for respondent no.6/ original complainant has no objection, if the order of

(2)

suspending the licence is kept intact during the pendency of inquiry and if the inquiry is directed to be completed in a time bound manner. Learned counsel submits that respondent no.6 may also be given an opportunity of hearing during the course of inquiry.

3. Learned AGP, on instructions, submits that the inquiry may be completed within a period of three months from today and the same is also contemplated in the G.R. dated 12.11.1991.

4. In view of the submissions, the writ petition is disposed off with the directions of the District Supply Officer, Aurangabad to complete the inquiry as expeditiously as possible, preferably within a period of three months and he shall also consider the G.R. dated 12.11.1991. The District Supply Officer, Aurangabad shall also give an opportunity of hearing to respondent no.6/original complainant during the course of inquiry.

5. It is needless to say that the impugned order of suspending the licence to run fair price shop viz. shop No. 42 at Village Wadji, Taluka Paithan, District Aurangabad would remain intact till the conclusion of inquiry.

(3)

6. The writ petition is accordingly disposed off.

(V.K. JADHAV, J.)

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