

(1)

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

WRIT PETITION NO.2455 OF 2019

Sanjay S/o Pandharinath Munde
Age: years, Occ. Agri,
R/o Tadsonna, Tq. & Dist. Beed

..PETITIONER

VERSUS

1. The Collector, Beed
Collector Office, Beed
2. District Supply Officer,
Beed, District Supply Office,
Beed

..RESPONDENTS

Mr P. P. Dawalkar, Advocate for petitioner;
Mr A. R. Kale, A.G.P. for respondents

**CORAM : PRASANNA B. VARALE
AND
S. M. GAVHANE, JJ.**

DATE : 7th March, 2019

ORAL ORDER:

Heard learned Counsel appearing on behalf of the petitioner.

2. At the outset, learned Counsel for the petitioner orally prays for an amendment to the petition. He submitted that inadvertently the authority before whom an application is submitted, is not made party respondent to the petition. The oral prayer is allowed. The petitioner is permitted to add District Supply Officer as a party respondent No.2 to the petition. Necessary amendment be carried out forthwith.

(2)

3. As a limited grievance raised in the petition, the petition is taken up for hearing/disposal at the admission stage.

4. Issue notice to respondents, returnable forthwith.

5. Learned Asstt. Govt. Pleader waives service of notice for respondents.

6. The documents placed on record show that the licence was issued in the name of Mr Bankat Pandarinath Munde to run fair price shop at village Tadsonna, Tq. and District Beed. A copy of licence granted in his favour is placed on record at page 12 of the petition. A licence was continued for a considerable period and the orders of extension of licence is also placed on record. Shri. Bankat was suffering from ailment and was required to go out of station for the medical treatment, as such, he thought it fit to transfer the licence in the name of the petitioner, who is his brother. The consent in the form of affidavit was prepared and the copy of the same is placed on record. An application was accordingly submitted to the District Supply Officer, Beed. On 5th September, 2014, notice was issued to the petitioner as well as his brother Mr Bankat Munde to attend the hearing on the application seeking transfer scheduled on 10th September, 2014 at 11.00 a.m. to the office of the District Supply Officer. A copy of notice is placed on record. A copy of daily

(3)

note sheet is also placed on record to submit that the parties have appeared before the District Supply Officer on the date of scheduled hearing. The authority recorded the statement of Mr Bankat Munde, his wife, son Satish and daughter Sheetal. These family members have raised no objection for transfer of licence.

7. Learned Counsel for the petitioner submitted that since, 2014 there is no progress in the matter and the matter is moving with a snail pace. This being only grievance, the petition is disposed of with direction to respondent No.2 – District Supply Officer, Beed to decide the application dated 21st August, 2014, as early as possible and not later than twelve weeks from today, if it already not decided by the District Collector, needless to state on its own merits.

With these observations/directions, the petition is disposed of.

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)

sjk