

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1343 OF 2018
IN
WRIT PETITION NO. 11635 OF 2018

Dattatraya S. Nikam ... Applicant

IN THE MATTER OF :

Dattatraya S. Nikam ... Petitioner

Versus

The State of Maharashtra and Ors. ... Respondents

Ms.Poonam P. Bhosale for the Applicant - Petitioner.

Mr.P.G.Sawant, AGP for the Respondents.

CORAM : AKIL KURESHI &

S.J. KATHAWALLA, JJ.

DATE : 19TH JUNE, 2019

P.C.:

1. The Petitioner has been granted a license to run fair price shop. The Petitioner's grievance is that the supply of ration has not been released by the authority for the months of June and July-2019. The Petitioner has also challenged the show cause notice dated 4th May, 2019. The case put up by the Respondents is that out of various categories of ration card holders, the work of covering such card holders under biometric system in some of the cases is complete. In cases, where biometric system is already completed, the Petitioner must release ration in favour of such card holders following such system. For the rest, the Petitioner can release ration on cash

memo basis. According to the Respondents, the Petitioner is not following this pattern. Hence, the action.

2. The learned Counsel for the Petitioner submitted that the Petitioner has been and is ready and willing to follow the above system. However, according to him, the work of covering card holders under biometric system is far from complete.

3. Be that as it may, we can have no objection to the stand of the department that the Petitioner must distribute ration to the card holders by following biometric system in cases where the card holders covered. For the rest, the departments also do not oppose the distribution of ration upon issuance of cash memo. The Petitioner would have time upto 5th July, 2019 to file the reply to the show cause notice. The authority may take appropriate action in accordance with law, after hearing the Petitioner. Civil Application and Writ Petition are accordingly disposed off.

(S.J.KATHAWALLA, J.)

(AKIL KURESHI, J.)