

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.476 of 2017

Shri Ramesh Krushna Deulkar
 vs.
 District Supply Officer, Nagpur & others

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Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

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Court's or Judge's Orders

Ms. Ritu Kalia, A.G.P. for Respondent Nos.1 & 2.

CORAM : R.K. DESHPANDE & S.M. MODAK, JJ.

DATE : 9th APRIL, 2019.

The petitioner claims the relief in terms of
 prayer clause (i) of the petition, as under :

"(i) Direct the Respondent No.1-District Supply Officer, Nagpur to supply the copies of documents as demanded by the petitioner by his application dt. 20/09/2016 (Annexure-G) and further pleased to direct to take the reply of the petitioner on record and by granting opportunity of hearing to the petitioner pass suitable order in the matter."

In response to the aforesaid relief, an
 affidavit-in-reply has been filed by respondent No.1 -
 District Supply Officer stating in paragraph 12, as
 under :

"12. On the appointed date of hearing, the Counsel for petitioner was present, however, the then District Supply Officer being busy in other Administrative work, hence, the hearing was adjourned on 17.06.2016. On 11.08.2016, the matter was again adjourned on the premises that the counsel for petitioner had sought necessary documents from the office of answering respondent viz. inspection report, copy of complaint and all

*the available documents on record and the same were provided to the petitioner through the record room. The complainant i.e. respondent no.3 was called for giving evidence on 02/01/2017. On the said date, the counsel for petitioner and so also the complainant/respondent no.3 were present. The respondent no.2 submitted his statement. However, the counsel for petitioner again sought adjournment and accordingly the proceeding again was adjourned on 04/01/2017. However, on the said date also, the petitioner remain absent and, therefore, the then Deputy Supply Officer closed the matter for orders and as such order came to be passed on 10/01/2017 thereby recovery of Rs.14,09,260/- is directed to be recovered from the petitioner on account of misappropriation of food grains under PDS. The copy of the said order is annexed herewith as **Annexure R-1.**"*

In view of this, the grievance of the petitioner stands satisfied. The petitioner is disposed of as infructuous.

JUDGE

JUDGE

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