

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

WRIT PETITION NO. 5066/2019

Sau Sharda W/o Shankar Borkar

..VS..

The State of Maharashtra and ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri C.A. Joshi, adv. For the petitioner.

Ms. Tajwar Khan, A.G.P. for respondent Nos.1 to 4.

CORAM : Z.A.HAQ, J.

DATED : 22nd July, 2019

Heard.

The authorization of the petitioner for fair price shop is cancelled as huge stock of rice and wheat meant for distribution to the ration card holders came to be seized in the raid conducted by Police on the house of Shri Rambhau Borkar. After investigation, prosecution is launched against the petitioner for the relevant offences. The Collector cancelled the authorization of the petitioner by the order dated 27.08.2015. This order was challenged by the petitioner before the Deputy Commissioner (Supplies) in revision which was also dismissed. The petitioner approached the State Government by filing revision which was dismissed on 04.10.2017. The petitioner had filed review application which was also dismissed on 03.05.2018. The petitioner had again filed revision/ review application before the State Government contending that the earlier revision application/ review application was dismissed without hearing her. This revision/review application is dismissed by the order dated

28.05.2019. The petitioner being aggrieved by the cancellation of her authorization has filed this writ petition.

The learned A.G.P. has pointed out from the order passed by the Deputy Commissioner (Supplies) on 29.02.2016 the observations that huge stock of rice and wheat meant for distribution to the ration card holders came to be seized from the house of Shri Rambhau Borkar, and Shri Shivaji Borkar gave statement that the stock which came to be seized from the house of Shri Rambhau Borkar was from the shop of the petitioner. It has come in the order passed by the Deputy Commissioner(Supplies) that house of Shri Rambhau Borkar is situated adjoining the shop of the petitioner.

Though, according to the petitioner none of the ration card holder has made any complaint or has given any statement against the petitioner, considering the peculiar facts of the present case and the material on record and the consideration of it by the authorities, I am not inclined to show any indulgence and interfere with the impugned orders.

Hence the petition is dismissed. In the circumstances, the parties to bear their own costs.

JUDGE

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