

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 7473 OF 2021**

Shri. Ramchandra Nivrutti Thorat

.....Petitioner

Vs.

State of Maharashtra
through Foodgrains Distribution Officer

.....Respondent

Mr. S. P. Kanuga i/by Sapna Nath for Petitioner.

Mr. S. H. Kankal, AGP for Respondent State.

CORAM : A. S. GADKARI, J.

DATE : 16th MARCH, 2022.

P.C.:-

At the outset learned AGP raised a preliminary objection and submitted that, under Clause 24 of the Maharashtra Scheduled Commodities (Regulation of Distribution) Order, 1975, a statutory alternate remedy for preferring Appeal before the Competent Authority is available to the Petitioner and without availing the said remedy, the Petitioner has approached this Court.

2. In view thereof, Mr. Kanuga, learned Advocate for the Petitioner seeks leave to withdraw present Petition with liberty to file a statutory Appeal under Clause 24 of the Maharashtra Scheduled Commodities (Regulation of Distribution) Order, 1975 before the concerned Competent Authority.

Leave and liberty granted.

3. If the Petitioner prefers the said statutory Appeal within a period of three weeks from today, concerned Competent Authority is requested to consider the same on its own merits and decide the same within 6 months from the date of filing of said Appeal.

4. Petition is disposed off with aforesaid liberty.

(A.S. GADKARI, J.)