

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

**Writ Petition No. 4375 of 2022**

[Shri Suresh Haribhau Ghinmine ..vs.. District Supply Officer, Yavatmal and ors.]

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

Court's or Judge's orders

Mr. A. D. Ramteke, Advocate for the petitioner  
Mrs. K. R. Deshpande, A. G. P for respondents 1 and 2

**CORAM : ROHIT B. DEO AND  
MRS. VRUSHALI V. JOSHI, JJ.**

**DATED : 9-3-2023**

The grievance of the petitioner is that respondent 2 – Tahsildar, Ralegaon has passed an illegal order dated 6-4-2020 whereby certain beneficiaries attached to the fair price shop of the petitioner are de-attached and linked with the fair price shop of one Bhurle.

2. We are not required to delve deeper in the submission that the order rendered by the Tahsildar, Ralegaon is actuated by *mala fides*. We note that it is common ground that such order could have been passed only by the District Supply Officer (DSO).

3. Although it is the stand of the Tahsildar, Ralegaon that he was directed by the DSO to take appropriate action, we find that the petitioner has already preferred

an application with the DSO seeking restoration of the entire lot of beneficiaries which came to be detached and attached to some other fair price shop. We further find that the DSO has already directed the Tahsildar, Ralegaon to conduct an appropriate enquiry.

4. Since there is no further step taken by the Tahsildar after receiving the direction from the DSO, we find it appropriate to dispose of this petition directing the DSO to revisit the entire issue holistically and pass a reasoned order after hearing the petitioner.

5. The orders impugned are set aside.

6. In the peculiar facts, although we are setting aside the orders impugned, we are not presently directing that the beneficiaries, who are attached to some other shop/s, be re-attached to the fair price shop of the petitioner. Instead we find it more appropriate to direct District Supply Officer to decide the issue as expeditiously as possible, and in any event, within 15 days from the date of appearance of the petitioner.

7. The petitioner shall appear before the District Supply Officer on 20-3-2023 and an appropriate decision

shall be taken after hearing the petitioner and any other person interested.

8. The petition is disposed of in the aforestated terms.

(Mrs. Vrushali V. Joshi, J.)

(Rohit B. Deo, J.)

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