



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 15271 OF 2023

VIVIDH KARYAKARI SEVA SAHAKARI SANSTHA LTD SONIMOHA
THROUGH ITS SECRETARY
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

...
Advocate for the Petitioner : Mr. Kamlakar J. Suryawanshi
AGP for Respondents : Mrs. M. L. Sangit

...
CIVIL APPLICATION STAMP NO.3403 OF 2024 IN WP/15271/2023
(FOR INTERVENTION)

SUNIL S/O. MANIK TODE AND OTHERS
VERSUS
VIVIDH KARYAKARI SEVA SAHAKARI SANSTHA LTD SONIMOHA
THROUGH ITS SECRETARY AND OTHERS

...
Advocate for Applicants/Intervenors : Mr. A. V. Thombre
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CORAM : S. G. MEHARE, J.

DATE : 31-01-2024

PER COURT :-

1. Heard the learned counsel for the petitioner, the learned A.G.P. for the respondents and the learned counsel for the applicants/intervenors.
2. After hearing the learned counsel for the parties, it appears that a statutory remedy is available to the petitioner.
3. Learned counsel for the petitioner submits that this point

was argued before the Court (Coram : Arun R. Pedneker, J.). When the notice was issued, *ad-interim* protection was granted. This Court has recorded the findings in order dated 14.12.2023 that on perusal of the order, there is no indication that the notice was given to the petitioner before suspension of license of fair price shop. *Ad-interim* stay to the order dated 29.11.2023 was granted and it is still in force.

4. The learned counsel for the applicants/intervenors disputes the fact of service of notice to the petitioner.

5. Since there are disputed facts and statutory remedy is available, on instructions leave granted to withdraw this petition and avail statutory remedy. However, some time will require to the petitioner to approach the appropriate authority. Hence, *interim* protection granted by this Court by order dated 14.12.2023 should continue for further four weeks from today.

6. In view of the above, writ petition stands disposed of.

7. *Intervention* application also stands disposed of.

(S. G. MEHARE)
JUDGE