

Nikita

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.5830 OF 2024

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Date: 2024.04.30
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Narayan Babaji Aawdan and Ors. ... Petitioner

V/s.

Yashodha Mahila Bachat Gaat Gudewadi
and Ors. ... Respondents

Mr. Chetan G. Patil a/w Mr. Mandar G. Bagkar, for the
Petitioner.

Mrs. D. S. Deshmukh, AGP for the State, Respondent
Nos. 2 to 4.

CORAM : AMIT BORKAR, J.

DATED : APRIL 30, 2024

P.C.:

1. Respondent No. 3 by order dated 1st June 2023, cancelled allotment of fair price shop in favour of respondent No.1 by recording categorical finding that somebody else than allottee running fair price shop. However respondent No.2 by impugned order, without giving opportunity of hearing to the petitioner at whose instance the action for cancellation of fair price shop was initiated, has set aside the order recording a finding that the objections raised against respondent No.1 are minor in nature. Prima facie, the finding of fact recorded by Respondent No.3 that somebody else than respondent No.1 was running fair price shop is not set aside by respondent No.2.

2. Hence, issue notice to respondent No.1, returnable on **15th July 2024**.
3. Until further orders, there shall be ad-interim relief in terms of prayer clauses (b) and (c).

(AMIT BORKAR, J.)