

VRJ

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

WRIT PETITION NO.12608 OF 2025

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Sangita Uday Patil

... Petitioner

V/s.

The State of Maharashtra & Ors.

... Respondents

Mr. Abhijit V. Desai for the petitioner.

Mr. J. P. Patil, AGP for the State.

CORAM : S. G. CHAPALGAONKAR, J.

DATED : DECEMBER 3, 2025

P.C.:

1. The petitioner is running a fair price shop at Village Yamage, Taluka Kagal, District Kolhapur, under authorization issued by Respondent No.4. Respondent No.4 issued a public notice and invited applications for authorization of a new fair price shop at Village Yamage. Eventually, Respondent No.6 was selected, and District Food and Supply Officer accordingly issued a licence in favour of Respondent No.6. The petitioner challenged the aforesaid order before the Deputy Commissioner (Supply), Pune Division, Pune, by filing a revision application under Section 24 of the Maharashtra Scheduled Commodities (Regulation of

Distribution) Order, 1975. The Deputy Commissioner (Supply), Pune Division, Pune, partly allowed the revision application and directed that the order issuing the licence in favour of Respondent No.6 be kept in abeyance. However, the Hon'ble Minister, vide its order dated 16th September 2025, cancelled order dated 19th September 2024 passed by Deputy Commissioner (Supply), Pune Division, Pune and confirmed order dated 26th July 2024 passed by District Supply Officer, Kolhapur.

2. Learned advocate appearing for petitioner submits that there is no necessity of two fair price shops in village and that beneficiaries attached to petitioner's shop are fewer than 4000. The distribution of commodities is based on individuals and not on units. Therefore, authorization of a new fair price shop would lead to ambiguity.

3. Learned AGP, however, supports the impugned order.

4. Perusal of the record indicates that Respondent No.3 issued a notification inviting applications for authorization of a fair price shop, pursuant to which Respondent No.6 participated in process and was found eligible. Accordingly, a licence has been issued to Respondent No.6. The District Supply Officer has followed due

procedure of law for issuance of a fresh licence in favour of Respondent No.6. The viability of a second fair price shop was duly considered by authorities before issuance of notification. Petitioner cannot claim any prejudice merely because a second fair price shop has been sanctioned in village.

5. In that view of the matter, this Court do not find any reason to interfere with impugned order in exercise of powers under Article 227 of Constitution of India. In result, the writ petition stands rejected.

6. Pending interlocutory application(s), if any, stand disposed of.

(S. G. CHAPALGAONKAR, J.)