

MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12686 OF 2024**

Vinayak Babanrao Aware and Ors. ... Petitioners

Versus

Popat Sitaram Lokare and Ors. ... Respondents

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Mr. M. A. Choudhari a/w Ranveer Choudhari for the Petitioners.

Mr. Anilkumar Patil a/w Sachin Madhav Bhavar for Respondent No.1.

Ms. Pooja Joshi Deshpande, AGP for the State- Respondent Nos.2 to 5.

CORAM : MANGESH S. PATIL,J.

DATED : 21st JANUARY 2025

ORDER :-

1. Heard both the sides and also the learned AGP.
2. By invoking Article 227 of the Constitution of India, the petitioners are taking exception to the order passed by the learned Minister, in an appellate proceeding, whereby the learned Minister imposed some penalty on respondent No.1 for continuation of the licence of the fair price shop and also directed an inquiry to be undertaken by the District Supply Officer within three weeks and further directing appropriate action to be initiated, if ultimately it was found that there was some mis-appropriation/mis-deed.

3. Learned advocate and also the learned AGP are unanimous that there was no prohibition for the District Supply Officer pursuant to the directions of the learned Minister, to undertake the enquiry.

4. Both the sides are *ad-idem* that the matter can be taken to the logical end in the light of the directions of the learned Minister in clause No.5 of the order under challenge.

5. In light of above, since it is a matter of alleged mis-deed/mis-appropriation by a fair price shop owner, direction of the learned Minister to undertake an enquiry, in my considered view, would put the things at rest and take the matter to the logical end.

6. I dispose of the Writ Petition, directing the respondent No.3- District Supply Officer, Solapur to undertake the exercise as directed by the learned Minister in the order dated 13th July 2023 as expeditiously as possible and in any case within three months and take consequential steps pursuant thereto as directed therein.

7. The District Supply Officer shall undertake the enquiry without being influenced by the observations of any of the two authorities or of this Court.

(MANGESH S. PATIL, J.)