

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.14905 OF 2025

Jay Shrikrushna Mahila Consumer Cooperative
Society Ltd, through their Chairman Chaitali
Satyam Pawar

..Petitioner

Versus

The State of Maharashtra, through Secretary for
Food and Civil Supplies Department, Mantralaya,
Mumbai & Ors

...Respondents

Mr. Sharad Suryavanshi, for the Petitioner.
Mr. A. C. Bhadang, AGP, for the Respondents-State.

CORAM: N. J. JAMADAR, J.
DATE : 20th NOVEMBER 2025

ORDER:

1. Heard the learned Counsel for the parties.
2. The challenge in this Petition is to an order dated 11th August 2025 passed by the State Government in an Appeal against an order passed by the Deputy Controller of Rationing, 'F' Region, Thane, dated 24th April 2025, whereby the State Government has allowed the Appeal preferred by the Respondent No.4 and directed that the licensee to operate the fair price shop be allotted to the Respondent No. 4, upon compliance of certain conditions.

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3. The Petitioner and four other womens' groups including the Respondent No.4, had submitted Applications for allotment of a licence to run a new fair price shop at Thane. After appraisal of the Applications, the Deputy Controller of Rationing was persuaded to reject the Applications. The Respondent No.4 preferred an Appeal against the said order before the State Government.

4. By the impugned order, the State Government was persuaded to allow the Application after complying with the requisite conditions.

5. Mr. Suryavanshi, the learned Counsel for the Petitioner, submitted that the impugned order came to be passed behind the back of the Petitioner. The State Government ought to have heard rest of the four Applicants whose Applications were also rejected by the Deputy Controller of Rationing, along with the Application of the Respondent No.4. Therefore, the impugned order warrants interference.

6. Evidently, the Petitioner did not assail the order passed by the Deputy Controller of Rationing rejecting its Application for grant of licence. Only the Respondent No. 4 had preferred the Appeal. If the Petitioner was aggrieved by the order of rejection, the Petitioner ought to have assailed the said order of the Deputy Controller of Rationing. It was not the case that one out of the five Applicants was allotted licence to run the fair price shop and the Appeal was preferred without impleading such successful Applicant. In a situation of the present

nature, if one of the Applicants approaches the Appellate Authority assailing the order passed by the Deputy Controller of Rationing, it is not obligatory for such person to implead the co-applicants whose Applications were rejected by the Deputy Controller of Rationing as party-Respondent to the Appeal. As the Petitioner had not assailed the order passed by the Deputy Controller of Rationing, the Petitioner cannot have grievance that it ought to have been heard when the co-applicant had preferred an Appeal before the Appellate Authority.

7. Thus no case is made out to entertain the Petition in exercise of extraordinary jurisdiction.

8. The Petition thus stands dismissed.

[N. J. JAMADAR, J.]