



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 3785 OF 2019

(Prabhat Mahila Bachat Gat vs. State of Maharashtra and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. C.A.Joshi, Advocate for petitioner.
Ms. Ritu Sharma, Advocate for respondents.

CORAM : SIDDHESHWAR S. THOMBRE, J.
NOVEMBER 11, 2025

- 1) Heard learned counsel for the respective parties.
- 2) The petitioner is a Bachat Gat in whose favour the license was issued by the competent authority under the Maharashtra Scheduled Commodities (Regulation of Distribution) Regulations, 1975.
- 3) The petitioner runs a fair price shop. On 17/12/2015, F.I.R.No.3115/2015 came to be registered with Police Station Ramdas Peth, Akola. Thereafter, the District Supply Officer issued a show-cause notice dated 21/12/2015 and called upon the petitioner's explanation on 16 grounds. In response to the show-cause notice, the petitioner submitted an explanation.

However, without considering the explanation tendered by the petitioner, the District Supply Officer, Akola cancelled the license of fair price shop by order dated 11/01/2016. The petitioner challenged the said order by filing an appeal before the Deputy Commissioner (Supplies), Amravati, who vide order dated 18/04/2016 confirmed the order passed by the District Supply Officer. Being aggrieved by the said order, the

petitioner filed revision before the State Government, and vide order dated 04/10/2017 the State Government also dismissed the revision upholding the earlier orders.

- 4) Learned counsel for the petitioner vehemently submits that the charges which are levelled against the petitioner are not of serious nature. In fact the statement of the driver which was recorded clearly explained the circumstances under which the vehicle had halted at some other place. The F.I.R. was registered against the driver and not against the petitioner. He further submitted that a detailed explanation to the show-cause notice was tendered, but the same was not properly considered by the authorities. Therefore, he urges to allow the present petition.
- 5) Per contra, learned Assistant Government Pleader supports the order passed by the District Supply Officer, the appellate authority and the revisional authority.
- 6) The main object and purpose of giving license of fair price shop is to provide food grains at concessional rate to the needy poor people and also persons who are below the poverty line. Here in this case, it was expected on the part of the petitioner licensee to adhere to the Government's policy and maintain transparency. However, some deficiencies and shortages in stock were found during inspection. These aspects were considered by the District Supply Officer before passing the order, which has been rightly confirmed by the Deputy Commissioner (Supplies) and the State Government.
- 7) Criminal case was registered against the driver of the vehicle, hired by the petitioner to lift the food grains, deliver and unload the same to the petitioners' fair price shop. An enquiry was conducted, a show-cause notice was issued, and explanation

was submitted by the petitioner to the same. After considering the show-cause notice and unsatisfactory explanation submitted by the petitioner, the authorities found serious irregularities in the distribution process. The record reveals that there was shortage of stock in the petitioners' fair price shop as compared to the quantity supplied by the Government. Considering the nature of the allegations, the enquiry findings, and petitioners' failure to justify the discrepancies, the District Supply Officer rightly cancelled the license.

- 8) Considering the findings recorded by all authorities, I do not find any reason to interfere with the order passed by the District Supply Officer, Deputy Commissioner and State Government under Article 227 of the Constitution of India. Accordingly, the petition stands dismissed. No order as to costs.

(SIDDHESHWAR S. THOMBRE, J.)