



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.730 OF 2026**

Me. Maa Bhavani Mahila Audyogik
Utpadak Co-operative Society ... Petitioner
versus
The State of Maharashtra and Ors. ... Respondents

WITH
INTERIM APPLICATION NO.2019 OF 2026
IN
WRIT PETITION NO.730 OF 2026

Gruhlaxmi Mahila Bachat Gat ... Applicant
and
Me. Maa Bhavani Mahila Audyogik
Utpadak Co-operative Society ... Petitioner
versus
The State of Maharashtra and Ors. ... Respondents

Mr. Rakesh Singh for Petitioner.
Mr. Yogesh Joshi with Mr. Harshad Joshi i/by YRJ Legal, for Respondent No.4
and Applicant in IA.
Mr. Shivaji Shinde, B Panel Counsel with Mrs. M.S.Srivastava, AGP for State.

CORAM: N.J.JAMADAR, J.

DATE : 6 APRIL 2026

ORAL ORDER :

1. Heard the learned Counsel for the parties.
2. The challenge in this Petition is to an order dated 28 October 2025 passed by the state Government in Revision Application preferred by the Petitioner against an order dated 28 March 2025 passed by the Deputy Controller of Rationing, G Zone, Kandivali (Respondent No.3), whereby the

application preferred by the Petitioner and Respondent No.4 for grant of licence to run a fair price shop came to be rejected. By the impugned order, the Minister, Food and Civil Supplies and Consumer Protection Department, was persuaded to reject the revision application, and, yet, direct the Respondent No.3 to grant licence to operate a fair price shop to the Respondent No.4, after Respondent No.4 complies with the requirements and rectifies the deficiencies.

3. The Court is informed that the revision application preferred by the Respondent No.4 against the same order passed by the Deputy Controller of Rationing (R3) rejecting the application of the Petitioner has yet not been decided by the State Government.

4. To the extent, the State Government found no fault with the order of Respondent No.3 rejecting the application of the Petitioner, and thus rejected the revision application, the error, if any, can be said to be within the jurisdiction. However, in the revision application filed by the Petitioner, the State Government has granted relief to Respondent No.4. Moreover, the Minister has directed Respondent No.3 to grant licence to Respondent No.4 after complying with the requirements and deficiencies. The said course is patently illegal and in breach of the fundamental principles of judicial process. If at all the State Government intended to grant time to the parties to comply with the deficiencies, the same dispensation should have been extended to

the Petitioner as well. Thus, looked from any perspective, the impugned order cannot be sustained.

5. Thus, the proper course for the State Government would be to hear and decide the revision applications preferred by the Petitioner as well as Respondent No.4 afresh and pass orders, after providing an effective opportunity of hearing to the parties.

6. The Writ Petition, thus, stands partly allowed.

7. The impugned order stands quashed and set aside.

8. Revision Application preferred by the Petitioner stands restored to the file of the State Government.

9. The State Government is directed to hear and decide the revision application preferred by the Petitioner along with the revision application preferred by the Respondent No.4 and pass appropriate orders in accordance with law, after providing an opportunity of hearing to the parties.

10. The parties shall appear before the State Government on 20 April 2026.

11. The State Government is directed to pass orders on the revision applications as expeditiously as possible and, preferably, within a period of one month from 20 April 2026.

12. The affidavit filed by Mr. Suryawanshi explaining the circumstances in which he has filed the Petition, after having filed caveat on behalf of Respondent No.4, is accepted.

13. Interim Application No.2019 of 2026 also stands disposed.

(N.J.JAMADAR, J.)