

(2018) 09 CHH CK 0361

Chhattisgarh High Court

Case No: Writ Petition (C) No. 2649 Of 2018

Anusha Saral Swa Sahayata

Samuh And Ors

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision: Sept. 25, 2018

Hon'ble Judges: Prashant Kumar Mishra, J

Bench: Single Bench

Advocate: Ravindra Sharma, Shashank Thakur

Final Decision: Disposed Of

Judgement

Prashant Kumar Mishra, J

1. By order (Annexure-P-2), the fair price shop allotted to the petitioners has been attached with some other fair price shops after suspending the petitioners' allotment.

2. Under Clause 16 of the Chhattisgarh Public Distribution System (Control) Order, 2004, an order of cancellation of fair price shop has to be passed within a period of one month from the date of issuance of show cause notice. The statute does not contemplate issuance of show cause notice before

suspension of the allotment of fair price shop. The said requirement has been envisaged before passing the final order of cancellation. The petitioner has been issued a show cause notice vide Annexure-P- 1 dated 14.08.2018, however, it appears, the final order in respect of the proceedings drawn against the petitioner has not been passed by the Competent Authority.

3. Considering the entire facts situation of the case, including the nature of allegation against the petitioner, I deem it appropriate to dispose of the writ

petition directing the Competent Authority to pass final order in the matter at the earliest, preferably within a period of 1 month from the date of submission of certified copy of this order. The petitioner shall submit certified copy of this order before the Competent Authority within a week.