

**(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

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**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

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**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.