

Leela Bai Vs State Of Chhattisgarh And Ors

Court: Chhattisgarh High Court

Date of Decision: July 31, 2018

Acts Referred: Chhattisgarh Public Distribution System (Control) Order, 2016 " Section 18(1)
Constitution Of India, 1950 " Article 226

Hon'ble Judges: Ajay Kumar Tripathi, CJ; Prashant Kumar Mishra, J

Bench: Division Bench

Advocate: Punit Ruparel, U.N.S. Deo

Final Decision: Dismissed

Judgement

Ajay Kumar Tripathi, CJ

1. Appellant pleads violation of principles of natural justice on the ground that the show cause notice was issued to her on 29-6-2017 and on the same

day her licence for operating the Fair Price Shop (FPS) was ordered to be suspended by the Sub Divisional Officer (Revenue), Bemetara.

2. The learned Single Judge disposed off the writ petition giving liberty to the petitioner (appellant herein) to prefer an appeal under Section 18 (1) of

the Chhattisgarh Public Distribution System (Control) Order, 2016.

3. We do not feel that the learned Single Judge has committed any error by not exercising the power under Article 226 of the Constitution of India

when there is statutory remedy provided under the Control Order itself.

4. In the result, the writ appeal is dismissed with liberty as granted by the learned Single Judge to move the appellate authority.

5. It is made clear that the delay caused, if any, due to filing of writ petition as well as writ appeal, shall be a valid ground if the condonation is

required.