

**(2018) 07 CHH CK 0386**

**Chhattisgarh High Court**

**Case No:** WA No. 602 Of 2018

Leela Bai

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

**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.