

Court No. - 6

Case :- WRIT - C No. - 40356 of 2023

Petitioner :- Shah Mohammad

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Ajai Kumar Singh Kushwaha, Jeetendra Kumar Yadav

Counsel for Respondent :- C.S.C.

Hon'ble Mrs. Manju Rani Chauhan, J.

Heard learned counsel for the petitioner and learned Standing Counsel for the State-respondent.

This writ petition has been filed with a prayer to quash the impugned order dated 18.08.2023 passed by respondent no. 1 and further prayed to direct the respondent no. 2 to decide the Memo of Appeal No. 42 of 2023 related with village Sauri, Block Manihari, District Ghazipur under clause 13(1) of Essential Commodities Distribution Order 2016 within time frame as stipulated by this Hon'ble Court.

Learned counsel for the petitioner did not press the relief no. 1 and submits that a direction may be issued to respondent no.2 to decide the appeal against cancellation of fair price shop within stipulated period.

The learned Standing Counsel has no objection to the submission made by the counsel for the petitioner.

No useful purpose would be served by keeping this petition pending in view of the order, which the Court proposes to pass hereunder.

Without entering into the controversy involved in the writ petition, the writ petition is disposed of with a direction to respondent no. 2 to decide the aforesaid appeal in accordance with law after giving opportunity of hearing to the parties concerned, by means of a reasoned and speaking order, as expeditiously as possible, from the date of production of a certified copy of this order, if there is no legal impediment.

It is made clear that this Court has not examined the merits of the claim of the petitioner and the authority concerned shall apply its own mind strictly in accordance with law.

Order Date :- 1.12.2023/Arti