

Court No. - 6

Case :- WRIT - C No. - 42044 of 2023

Petitioner :- Smt. Nazma

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

Counsel for Petitioner :- Brijesh Kumar Pandey

Counsel for Respondent :- C.S.C.

Hon'ble Mrs. Manju Rani Chauhan,J.

Heard Mr. Brijesh Kumar Pandey, learned counsel for the petitioner and learned Standing Counsel for the State-respondent.

The writ petition has been filed by the petitioner with a prayer to direct the learned Commissioner Moradabad Mandal, Moradabad (respondent no.2) to decide the appeal of the petitioner and a further prayer to stay the effect and operation of the order dated 27.06.2023 passed by Sub-Divisional Magistrate, Tehsil-Tanda, District-Rampur during the pendency of the appeal, within stipulated period.

Learned counsel for the petitioner submits that the appeal alongwith stay application against order of cancellation of fair price shop license dated 27.06.2023 has been filed but till date the stay application filed alongwith the appeal has not been decided, therefore, a direction may be issued to respondent no.2-Commissioner Moradabad Mandal, Moradabad to decide the same, as expeditiously as possible.

Learned Standing Counsel has no objection to the same.

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

Considering the facts and circumstance of the case and without expressing any opinion on the merits of the case, this writ petition is finally **disposed off** with a direction to the respondent no.2-Commissioner Moradabad Mandal, Moradabad to decide the stay application of the petitioner within 20 days from the date of production of certified copy of this order and a further direction to decide the appeal filed by the petitioner, in accordance with law, by means of a reasoned and speaking order, after giving opportunities of hearing to the parties concerned, preferably within a period of **six months**, from the date of production of certified copy of this order, without granting any unnecessary or long adjournments to either of the parties.

Order Date :- 6.12.2023

Kalp Nath Singh