

Court No. - 8

Case :- WRIT - C No. - 102 of 2023

Petitioner :- Haneef Khan

Respondent :- State Of U.P. Thru. Prin. Secy. Food And Civil Supplies,
Lko. And 2 Others

Counsel for Petitioner :- Satish Kumar Sharma

Counsel for Respondent :- C.S.C.

Hon'ble Pankaj Bhatia,J.

1. Supplementary Affidavit filed today is taken on record.
2. Heard the counsel for the petitioner and the learned Standing Counsel.
3. The present petition has been filed by the petitioner challenging the order dated 06.06.2014 whereby the fair price shop license of the petitioner was cancelled as well as the order dated 31.10.2022 whereby the appeal preferred by the petitioner was dismissed as being highly time barred.
4. From the facts, it is revealed that on account of an FIR lodged against the petitioner, he was detained, as such, the petitioner could not file a reply to the show cause notice, which led to the passing of the order cancelling the fair price shop license on 06.06.2014. Admittedly, the petitioner was released from detention some times in the year 2015, however, the petitioner filed an appeal after about eight years in the year 2022 without giving any plausible reason for filing the reply after eight years. The appellate court dismissed the appeal as being time barred. Although the first order passed against the petitioner, prima-facie, requires interference, however, as the petitioner was not vigilant in pursuing his remedies and has filed the appeal after eight years, no good reason exists for interference with the appellate order dated 31.10.2022.
5. The writ petition lacks merit and is ***dismissed.***

Order Date :- 17.10.2023

VNP/-