

Court No. - 8

Case :- WRIT - C No. - 1005634 of 2012

Petitioner :- Satya Ram

Respondent :- Deputy Commissioner Food Lucknow Division
Lucknow And Anr

Counsel for Petitioner :- R.L. Vishwakarma, Deo Raj Singh

Counsel for Respondent :- C.S.C.

Hon'ble Pankaj Bhatia, J.

1. Heard learned Counsel for the petitioner and learned Standing Counsel.
2. The present petition has been filed challenging the order dated 22.12.2019, whereby the fair price shop of the petitioner was cancelled as well as the order dated 24.08.2012, whereby the appeal preferred by the petitioner was also dismissed.
3. The contention of the Counsel for the petitioner is that despite specific stand taken before the licensing authority, none of the objections were considered and the specific ground raised in the appeal was also not considered while disposing of the appeal.
4. The Counsel for the petitioner draws my attention to the appellate order, which is absolutely non-speaking and does not decide any of the issues raised by the petitioner.
5. As the appellate order is a non-speaking order, on that ground alone, the order dated 28.04.2012 is quashed and the matter is remanded back to the appellate authority to decide the matter afresh, in accordance with law, with all expedition preferably within a period of three months from the date of production of certified copy of this order.
6. As the substantial time has passed, the appellate authority shall hear the subsequent allottee, if any, before deciding the appeal.
7. In view of above, the writ petition is ***allowed*** in part.

Order Date :- 8.12.2023

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