

Court No. - 8

Case :- WRIT - C No. - 6731 of 2023

Petitioner :- Bholanath Mishra

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Food And Supply Deptt. U.P. Lko. And 4 Others

Counsel for Petitioner :- Sachchida Nand Shukla

Counsel for Respondent :- C.S.C., Pankaj Gupta

Hon'ble Ajay Bhanot, J.

Heard Shri Sachchida Nand Shukla, learned counsel for the petitioner, Shri Tushar Gupta, learned counsel holding brief of Shri Pankaj Gupta, learned counsel for the Gaon Sabha and Shri Pankaj Khare, learned Additional Chief Standing Counsel for the State.

The petitioner claims to be a BPL ration card holder. It is contended that there is no fair price shop in the village Kalui Block and Tehsil Payagpur, District Bahraich of which the petitioner is a resident. Due to non appointment of a fair price shop dealership, the petitioner cannot access his entitlement under the National Food Security Act.

Fair price shop dealerships are created in the interest of the most deprived and vulnerable sections of the society. The endeavour of the authorities as well as the courts should be to decide these matters earliest so that the sections for which the benefit is intended do not suffer.

In this wake, the District Magistrate, District Bahraich

is directed to ensure that the procedure for appointment of a regular fair price shop dealership is taken out forthwith and the process is completed without any delay. In case any impediment in the appointment of fair price shop dealership is created by any person and not possible to make such appointment, the District Magistrate shall take recourse to the alternative policy measures prescribed in the Government Order dated 05.08.2019 for appointing a fair price shop dealership.

The exercise shall be completed within a period of 45 days from the date of receipt of a certified copy of this order.

With the aforesaid direction, the writ petition is disposed of finally.

Order Date :- 8.8.2023
Dhananjai