

Court No. - 17

Case :- WRIT - C No. - 10005 of 2023

Petitioner :- Kamal Kaant

Respondent :- State Of U.P. Thru. Prin. Secy. Food And Civil Supply Deptt. Lko. And 3 Others

Counsel for Petitioner :- O.P. Tiwari

Counsel for Respondent :- C.S.C.

Hon'ble Alok Mathur,J.

1. Heard Sri O.P. Tiwari, learned counsel for the petitioner as well as learned Standing Counsel for the respondents.

2. It has been submitted by learned counsel for the petitioner that petitioner was granted fair price shop license for Village Panchayat - Sadarpur Korara, Block - Gosaiganj, Tehsil - Mohanlalganj, District - Lucknow. Certain allegations were made by the villagers against petitioner with regard to running of fair price shop and consequently proceedings were initiated for cancellation of the license and ultimately after giving opportunity to the petitioner, his fair price shop license was cancelled on 20.02.2023.

3. Aggrieved by the order dated 20.02.2023, petitioner filed an appeal before the Commissioner, Lucknow Division, Lucknow and his appeal was allowed by means of order dated 18.05.2023, whereby cancellation order was set aside and the matter was remanded to the Prescribed Authority to decide the matter afresh.

4. It has been next submitted by learned counsel for the petitioner that since May, 2023, the remand proceedings are pending before the Sub Divisional Magistrate, Mohanlalganj, Lucknow and same have not been finalised and neither petitioner's fair price shop license has been restored.

5. It is in the aforesaid circumstances, that the petitioner has approached this Court with prayer for direction to respondents to restore his fair price shop license and also to decide the matter pertaining to cancellation of his fair price shop license.

6. Learned counsel for the petitioner after arguing the matter up to some length has submitted that he does not wish to press his prayer no. 1. He submits that grievance of the petitioner shall be substantially redressed in case directions are issued to

respondent no. 4 to decide the matter pertaining to cancellation of his fair price shop license expeditiously. He further submits that petitioner has already replied to the show cause notice and all the formalities are complete and only hearing has to take place in the matter.

7. Learned Standing Counsel has no objection in case suitable directions are issued to respondent no. 4 to decide the matter pertaining to cancellation of fair price shop license of petitioner.

8. In view of above, present writ petition is **disposed of** with direction to Sub Divisional Magistrate, Mohanlalganj, Lucknow - respondent no. 4 to decide the matter pertaining to cancellation of fair price shop license of petitioner expeditiously, say within a period of four weeks from the date of production of certified copy of this order, in accordance with law.

Order Date :- 9.11.2023

A. Verma

(Alok Mathur, J.)