

**Court No. - 1**

**Case :-** WRIT - C No. - 10578 of 2023

**Petitioner :-** Saroj Yadav

**Respondent :-** State Of U.P. Thru. Prin. Secy. Deptt. Food And Civil Supplies, Govt. U.P. Lucknow And Others

**Counsel for Petitioner :-** Anupam Mehrotra, Anil Kumar Yadav

**Counsel for Respondent :-** C.S.C., Waseeq Uddin Ahmed

**Hon'ble Attau Rahman Masoodi, J.**

**Hon'ble Om Prakash Shukla, J.**

1. Heard learned Counsel for the petitioner, learned Standing Counsel for the State-respondents and Shri Waseeq Uddin Ahmed, learned Counsel for respondent nos.3 to 7.
2. The prayer for resitment of a retail outlet dealership is regulated under the guidelines as contained in Annexure No.2 to the writ petition.
3. It is submitted that as per Clause 1.1(a) and (c) of the guidelines, the case of the petitioner is covered for resitment of the retail outlet dealership. An application for that purpose has already been made and the same is pending consideration at the level of competent authority.
4. It appears that a notice for cancellation of the retail outlet dealership has also been issued simultaneously on the ground of 'Nil Sale' for the reasons not attributable to the petitioner.
5. Once a case is covered under the guidelines for resitment of a retail outlet dealership, it is obligatory upon the competent authority to consider such cases with expediency. The pendency of the application filed by the petitioner since 05.08.2023 and the subsequent reminders is, thus, causing hardship and irreparable loss and injury to the petitioner.
6. In the circumstances of the case, we permit the petitioner to

make a detailed application within a period of two weeks from today and in case any such application is made, the same shall be decided by the competent authority expeditiously and preferably within a period of three months in accordance with the guidelines applicable in this behalf.

7. The implementation of the show cause notice for termination of dealership in the meanwhile shall remain in abeyance till the decision of application for resitment.

8. With the aforesaid observations/directions, this petition is **disposed of.**

**(Om Prakash Shukla, J.) (Attai Rahman Masoodi, J.)**

**Order Date :- 6.12.2023**

Anand Sri./-