

Court No. - 1

Case :- SPECIAL APPEAL DEFECTIVE No. - 955 of 2023

Appellant :- Sarojani Devi

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

Counsel for Appellant :- Manmohan Singh, Sandeep Kumar Ojha

Counsel for Respondent :- C.S.C., Dilip Kumar Pandey

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-respondent and Shri Dilip Kumar Pandey, learned Counsel for respondent no.6 - Gaon Sabha.
2. There is reported delay of 109 days in filing the present *intra-court* appeal under Chapter VIII Rule 5 of High Court Rules.
3. The reasons spelt out in the application seeking condonation of delay are not satisfactory. That apart, we do not see any glaring error in the judgment passed by the learned Writ Court.
4. In view of the law laid down by Full Bench of this Court in the case of ***Indrapal Singh Vs. State of U.P. & others : Writ C No.24620 of 2013***, it is well settled that the relative of a Gram Pradhan cannot be a beneficiary of a fair price shop in the public distribution system.
5. Thus, interference in the impugned judgment rendered by the Writ Court even if viewed leniently on the aspect of limitation yet there is no case made out on merit.
6. The special appeal is, accordingly, **dismissed**.

(Om Prakash Shukla, J.) (Attau Rahman Masoodi, J.)

Order Date :- 19.12.2023

Anand Sri./-