



Serial No.04

Supp. List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 425 of 2024

Date of Decision : 22.11.2024

Shri. Baharul Islam,
Son of Shri. Meher Ali
Resident of Garodubi, Haripur,
West Garo Hills District, Meghalaya

...Petitioner

-Versus-

1. State of Meghalaya represented by the
Chief Secretary Govt. of Meghalaya, Shillong.
2. The Commissioner & Secretary,
Food Civil Supplies & Consumer Affairs Department,
Govt. of Meghalaya, Shillong.
3. The Directorate of Food Supplies and
Consumer Affairs,
Shillong, Meghalaya.
4. The Sub-Divisional Officer (Supply)
Dadenggre, West Garo Hills.
5. Sub-Inspector of Supply,
Dadenggre (Civil) Sub-Division,
West Garo Hills.

...Respondents

Coram:



Hon'ble Mr. Justice H.S.Thangkhiew, Judge

Appearance:

For the Petitioner/Applicant(s) : Mr. S.A.Sheikh, Adv.

For the Respondent(s) : Mrs. T.Yangi B, AAG with
Ms. Z.E.Nongkynrih, GA.

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| i) | Whether approved for reporting in Law journals etc: | Yes/No |
| ii) | Whether approved for publication in press:_ | Yes/No |

JUDGMENT AND ORDER (ORAL)

1. Heard Mr. S.A.Sheikh, learned counsel for the petitioner.
2. Issue notice.
3. Mrs. T.Yangi B, learned AAG assisted by Ms. Z.E.Nongkynrih, learned GA is present and accepts notice on behalf of all the respondents.
4. The grievance of the writ petitioner is related to the cancellation of his Fair Price Shop dealership at Garodubi Centre under Selsella C&RD Block.
5. It is submitted by Mr. S.A.Sheikh, learned counsel that the writ petitioner had been appointed as a dealer under the Public Distribution System for a period of five years from 23-03-2023, and that on an earlier complaint made by the Goanbura of the village, the same had been



inquired into and no discrepancy was detected and he was allowed to retain his dealership. However he submits, the same Goanbura by another complaint, a copy of which was not given to the writ petitioner, and on an inquiry which was made pursuant thereto, the dealership of the writ petitioner was cancelled on 26-06-2024. Learned counsel submits that as per the provisions of the Meghalaya Food Grains/S.K.Oil (Public Distribution System) Control Order, 2022, the writ petitioner had preferred an appeal before the respondent No. 2 as far back as on 24-07-2024, but till date, the appeal has not been disposed of. He submits that non-disposal of the appeal has caused irreparable loss to the writ petitioner. As such, he prays that directions be issued for early disposal.

6. Mrs. T.Yangi B, learned AAG assisted by Ms. Z.E.Nongkynrih, learned GA appearing for the State respondents submits that since an appeal as per the Control Order has been preferred, it would be expedient in the interest of justice that the same be attended to and disposed of at the earliest.

7. Having heard learned counsel for the parties and on perusal of the materials as presented, it is noted that the writ petitioner against the cancellation order dated 26-06-2024, had preferred an appeal under Section 20 (4) of the Meghalaya Foodgrains/S.K.Oil (Public Distribution



System) Control Order, 2022, and if the submission of the writ petitioner is correct, the same is yet to be disposed of.

8. In view of the limited prayer of the writ petitioner, this writ petition is disposed of at the motion stage itself, by directing the respondent No. 2 to dispose of the appeal preferably within four weeks on the presentation of a copy of this order before the said respondent.

9. Matter accordingly stands disposed of.

Judge