

GAHC010038062024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/1112/2024

ABDUL ODUD CHOUDHURY AND ANR
SECRETARY, M/S. NITAINAGAR GPSS LTD, HAILAKANDI, S/O- LT. ABDUS
SUKKUR CHOUDHURY, R/O- VILL- BAHADURPUR PT- (I), P.O. RANGAUTI,
DIST.- HAILAKANDI, ASSAM

2: M/S NITAINAGAR GPSS LTD
REPRESENTED BY ITS SECRETARY ABDUL ODUD CHOUDHURY
AGED ABOUT 50 YEARS
S/O- LT. ABDUS SUKKUR CHOUDHURY
R/O- VILL- BAHADURPUR PT- (I)
P.O. RANGAUTI DIST.- HAILAKANDI ASSA

VERSUS

THE STATE OF ASSAM AND 6 ORS
TO BE REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF
ASSAM, FOOD CIVIL SUPPLY AND CONSUMER AFFAIRS DEPARTMENT,
DISPUR, GUWAHATI- 06

2:THE DIRECTOR
FOOD CIVIL SUPPLY AND CONSUMER AFFAIRS
ASSAM BHANGAGARH
GUWAHATI-05

3:THE DEPUTY COMMISSIONER
HAILAKANDI
P.O. AND DIST.- HAILAKANDI
ASSAM PIN- 788155

4:THE ASSISTANT DIRECTOR
I/C FOOD CIVIL SUPPLIES AND C.A
HAILAKANDI
P.O. AND DIST.- HAILAKANDI
ASSAM PIN- 788155

5:THE EXECUTIVE MAGISTRATE
HAILAKANDI
P.O. AND DIST.- HAILAKANDI
ASSAM PIN- 788155

6:THE ADDITIONAL DEPUTY COMMISSIONER (FCS AND CA)
HAILAKANDI
P.O. AND DIST.- HAILAKANDI
ASSAM PIN- 788155

7:THE AREA OFFICER (FCS AND CA)
HAILAKANDI
P.O. AND DIST.- HAILAKANDI
ASSAM PIN- 78815

Advocate for the Petitioner : MR F A LASKAR

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

Date : 01.03.2024

Heard Mr. F. A. Laskar, learned counsel for the petitioners, who submits that the petitioner No. 1 is the Secretary of M/s Nitainagar GPSS Limited in the district of Hailakandi, while the petitioner No. 2 is the said M/s Nitainagar GPSS Limited.

The petitioners are aggrieved with the order dated 15.09.2023 issued by the Assistant Director, in-Charge Food Civil Supplies & CA, wherein the Sub-wholesale licence bearing No. HS.PDS/H/W/6 issued to the petitioner No. 1 has been cancelled in exercise of the power conferred in Clause 15(1) of the Assam Public Distribution of Articles Order, 1982.

The petitioners' counsel submits that an appeal has been submitted to

the District Commissioner, Hailakandi against the impugned order dated 15.09.2023, in terms of the order 29 of the Assam Public Distribution of Articles Order, 1982. However, the same has not been disposed of by the District Commissioner, Hailakandi till date.

The petitioner's counsel submits that the present writ petition can be disposed of, if the District Commissioner, Hailakandi is directed to dispose of the petitioner's appeal dated 13.10.2023, within a specific time period.

Mr. K. Gogoi, learned counsel for all the respondents submits that he has got no objection to the prayer of the petitioner's counsel.

In view of the consent of the parties, the District Commissioner, Hailakandi is directed to dispose of the petitioner's appeal dated 13.10.2023, within a period of one month from the date of receipt of a copy of this order and thereafter communicate the decision taken to the petitioner.

The writ petition is accordingly disposed of.

JUDGE

Comparing Assistant