

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1696 of 2016

- Sanjay Khandy S/o Shri Shoukhi Lal Khandy, Aged About 35 Years Up Sarpanch, Gram Panchayat, Pendri R/o Village Pendri, Janpad Masturi, Block & Tahsil Masturi, District Bilaspur Chhattigarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat & Rural Development, Ministry Mahanadi Bhavan, New Raipur, District Raipur Chhattisgarh
2. The Collector, District Bilaspur, Chhattisgarh
3. Sub Divisional Officer, (Revenue), Revenue Department, Tahsil Masturi, District Bilaspur Chhattisgarh
4. Smt. Jamuna Bai Jaysi, W/o Shri Rajbhan Jaysi, Sarpanch Gram Panchayat Pendri & President Of Sakhi Rashmi Shwa Sahahayata Samooh, R/o Village Pendri Janpad Masturi, Block Masturi, Tehsil Masturi, District Bilaspur Chhattisgarh
5. Shri Rajbhan Jaysi, Salesman, (Fair Price Shop Gram Panchayat Pendri) R/o Village Pendri, Janpad Masturi, Block Masturi, Tahsil Masturi, District Bilaspur Chhattisgarh

---- Respondent

For Petitioners

Mr. Alok Dewangan, Advocate

For Respondent/State

Mr. Ramakant Mishra, Dy. A.G.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

5/7/2016

1. Heard.
2. It is argued by learned counsel for the petitioner that respondent No.4 Smt. Jamuna Bai Saysi is the Sarpanch of Gram Panchayat, Pendri, under whom the Sakhi Rashmi

Mahila Swa Sahayata Samooh is functioning and the said Samooh is operating a Fair Price Shop, of which, her husband respondent No.5 Shri Rajbhan Jaysi is the Salesman. He would submit that firstly a relative of the Sarpanch cannot be appointed as Salesman and secondly, on a complaint being made, operation of Fair Price Shop was suspended but despite finding huge irregularities, the concerned SDO has revoked the order of suspension and no action is taken for cancellation of the Fair Price Shop.

3. It appears that there were serious allegations against respondents 4 & 5 in the conduct and operation of the Fair Price Shop. If the allegations are true and correct, respondents 4 & 5 may not be entitled to run the shop.
4. Therefore, the writ petition is disposed of with a direction that if the petitioner prefers a complaint/representation before the concerned Collector within a period of one month from today, the said Collector shall enquire into the matter within a further period of 02 months and if the Fair Price Shop is found to be involved in committing illegality or irregularity warranting its cancellation under the provisions of Chhattisgarh Public Distribution System (Control) Order, 2004, appropriate action be taken against respondents 4 & 5 in accordance with law.

Sd/-

Judge

(Prashant Kumar Mishra)

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