

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No.3685 of 2008(O&M)

Date of Decision:- 17.2.2016

Naresh Tygi

...Petitioner

Vs.

State of Haryana & Anr.

...Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BINDAL

Present:- Mr.Abhishek Sethi, Advocate for the petitioner.

Mr.Ravi Dutt Sharma, DAG Haryana.

Rajesh Bindal, J.

The petitioner, who was allotted a fair price shop, has filed the present writ petition impugning the order dated 22.11.2007 (Annexure P4), vide which, the same was cancelled, and the order dated 13.2.2008 (Annexure P5), whereby the appeal against the order of cancellation was dismissed.

The contention of learned counsel for the petitioner is that there has been no complaint against the petitioner by any of the ration card holder for not supplying the ration in time or the quantity thereof, to which, they were entitled to. The department even got registered FIR against the petitioner, in which, he was acquitted.

A perusal of the impugned order passed by the Appellate Authority shows that the ration depot allotted to the petitioner was cancelled finding that in the year 1998, the ration depot was allotted in the name of Praveen Kumar, brother of petitioner. However, the petitioner had got affixed his own photograph on the form though the ration depot was

allotted in the name of his brother.

On 3.2.2016, the learned State counsel sought time to produce the original record. Today the original record pertaining to the allotment of ration depot in the name of Praveen Kumar, brother of the petitioner, was produced in the Court. A perusal of the record shows that when the ration depot was allotted in the name of brother of petitioner in the year 1998, the authority letter had photograph of the petitioner duly affixed thereon. Meaning thereby, in the year 1998 when the ration depot was allotted in the name of brother of the petitioner, in fact the petitioner had impersonated in his place.

Considering the aforesaid facts, as are available on the record, I do not find any ground to interfere with the impugned orders (Annexures P4 and P5). The present petition is dismissed.

(Rajesh Bindal)
Judge

17.2.2016
AS