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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 2576/2016 & C.M.No.10953/2016

NIYAZ AHMED

..... Petitioner

Through Mr.Shakil Ul Hai, Advocate.

versus

UNION OF INDIA & ORS

..... Respondents

Through

Ms.Sangeeta Rai, CGSC with  
Mr.Santosh Kumar Pandey, Advocate  
for UOI.  
Mohd. Irsad, Advocate for R- 3, 4 &  
5.

**CORAM:**

**HON'BLE MR. JUSTICE MANMOHAN**

**ORDER**

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**23.03.2016**

Present writ petition has been filed seeking a direction to respondent nos. 3 to 5 to either allot a Fair Price Shop or issue any other licence in lieu of his erstwhile kerosene oil depot (KOD) licence.

It has been averred that in 2013 petitioner's KOD was closed in accordance with policy decision of Government of Delhi to make the city kerosene free.

Learned counsel for the petitioners states that the petitioner is completely blind and the petitioner's representation with regard to the aforesaid prayer was rejected by the respondent vide letter dated 13<sup>th</sup> February, 2013 on the ground that there is no scheme for persons whose KOD licence has been cancelled.

This Court is of the view that in writ jurisdiction neither it can direct the State Government to frame a scheme for rehabilitation of KOD licensees nor can it direct an individual licensee to be given a Fair Price Shop. However, as the petitioner is stated to be suffering from a permanent disability, he is given liberty to apply for a Fair Price Shop under the 'Persons with Disability' quota, if any, in accordance with law.

With the aforesaid directions, the present writ petition and the application stand disposed of.

**MANMOHAN, J**

**MARCH 23, 2016**

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