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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 4330/2016

M/S NATIONAL STORE

..... Petitioner

Through: Mr. Pardeep Gupta, Advocate with
Mr. Prinav Gupta and Ms. Mansi Gupta,
Advocates.

versus

GOVERNMENT OF NCT OF DELHI & ORS Respondents

Through: Mr. Shadan Farasat, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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13.05.2016

CM Appl. 18183/2016 (exemption) in W.P.(C) 4330/2016

Allowed, subject to just exceptions.

W.P.(C) 4330/2016 & CM Appl. 18182/2016

Present writ petition has been filed challenging the suspension order dated 25th February, 2016 whereby the Assistant Commissioner, Food and Supply Department has suspended the authorisation of Fair Price Shop (FPS) license to the petitioner on various grounds.

Learned counsel for petitioner further states that in terms of Regulation 4 read with instructions dated 06th April, 2005, the suspension order can be passed only for three months, but in the present case, no period of suspension has been mentioned.

A perusal of the file reveals that the matter is pending at the show cause notice stage and the respondents have admittedly the power to suspend the FPS licence for a period of three months, which has not expired till date.

Consequently, the present writ petition and the application are disposed of with a direction to the respondents to hand over the copies of seized records within a period of one week. The petitioner is permitted to file a reply thereto within a period of one week thereafter.

Police authorities are directed to give photocopies of seized record to respondent No.3 within a period of one week.

The respondent no.3 who has issued the show cause notice as well as suspension order to the petitioner, is directed to dispose of the proceedings pending before him within a period of one month, on receipt of the reply and after giving an opportunity of hearing to the petitioner.

It is clarified that this Court has not expressed any opinion on the merits of the controversy. Rights and contentions of all parties are left open.

Order dasti.

MANMOHAN, J

MAY 13, 2016

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