

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (C) No. 6455 of 2007**

Basant Lal Gupta S/o Shri Rajendra Prasad Gupta, R/o Chalgali,
Wadrafnagar, District - Surguja (C.G.)

---- Petitioner**Versus**

1. State of Chhattisgarh through Collector, Surguja (Food Department), Ambikapur, District Surguja (CG)
2. Upper Collector, Ambikapur, District - Surguja (C.G.)
3. Director (Food & Civil Supplies and Consumer Protection Department), District - Raipur (C.G.)

---- Respondents

For Petitioner	:	Shri Manoj Paranjpe, Advocate
For Respondent/State	:	Shri Majid Ali, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****03/03/2017**

Challenge in the present writ petition is Annexure P-3 dated 20.04.2007 whereby the Upper Collector, Surguja had issued an order cancelling the licence which was issued in favour of the petitioner for sale of high speed diesel in the local areas in the District Surguja.

2. The respondents have filed their return stating that it was only an arrangement that was made at the behest of the Collector and the said issuance of licence was not in accordance with the Chhattisgarh Motor Spirit & High Speed Diesel Oil Order 1980 (for short 'the Control Order of 1980'). The respondents have in their reply in very categorical terms held that the license can only be issued to a person in accordance with the aforementioned order of 1980. The issuance of licence to the petitioner for high speed diesel was not in accordance with the Control

Order of 1980 and therefore ultimately the Upper Collector had withdrawn the said license issued in favour of the petitioner.

3. Considering the reply filed by the respondents and also taking into consideration the fact that the license which was issued in favour of the petitioner not being in accordance with the Control Order of 1980, this Court does not find any illegality or infirmity on the part of the Upper Collector in cancelling the arrangement made while issuance of licence in favour of the petitioner.

4. Thus, the present writ petition being devoid of merit, deserves to be and is accordingly dismissed.

**Sd/-
(P. Sam Koshy)
JUDGE**