

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(CR.) No. 277 of 2017

Kamla Bai, W/o. Lt. Shri Ramnath, Aged About 55 Years, Sarpanch, Village Panchayat Awrid, R/o. Village Awrid, P. S.- Nawagardh, District Janjgir-Champa (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh, Through : The Secretary Panchayat and Rural Development Department Mahanadi Naya Raipur, District Raipur (Chhattisgarh).
2. Collector, Janjgir, District -Janjgir -Champa, Chhattisgarh
3. Superintendent Of Police, Janjgir, District -Janjgir-Champa, Chhattisgarh
4. Sub-Divisional Officer (Revenue), Janjgir, District-Janjgir- Champa, Chhattisgarh.
5. Food Officer, Janjgir -Champa, District Janjgir- Champa (Chhattisgarh).
6. Food Inspector, Janjgir, District Janjgir- Champa (Chhattisgarh).
7. Smt. Rambha Devi Shrivastava, W/o. Kanhaiya Lal Shrivastava, Aged About 40 Years President Jai Ma Gayatri Mahila Swa Sahayata Samooch Awrid, P. S. Nawagarh, District Janjgir- Champa (Chhattisgarh).

-----Respondents

For Petitioner	: Mr. V.K. Pandey, Advocate
For Respondent/State	: Mr. Neeraj Sharma, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

11/08/2017

Heard.

1. Counsel for the petitioner submits that petitioner is a Sarpanch of Gram Panchayat – Awrid and on her complaint, an enquiry was made by the Food Inspector, District – Janjgir-Champa and report was

submitted vide Annexure P/1 dated 17.05.2017, in which it has been clearly held that respondent No.7 is responsible for violation of Clause 11, 12, 13, 14 & 15 of Public Distribution System (Control) order, 2016, which is a punishable offence under Section 3/7 of Essential Commodities Act, 1955. After submission of the report, no action has been taken against the respondent No.7 and no FIR has been lodged. Hence this petition.

2. Counsel for the State submits that, if this petition is disposed of with direction, then State has nothing to oppose.
3. I have heard the learned counsel for the parties and perused the documents on record.
4. The report vide (Annexure P/1) submitted by the respondent No.6 with a finding against the respondent No.7 had to be considered and acted upon by the respondent No.2, the Collector of Janjgir-Champa. It is submitted on behalf of petitioner that no consideration has been given by the respondent No.2 on the report submitted till date. Considering the facts and circumstances of the case, it would be proper to dispose off this petition at this stage with suitable direction.
5. Hence this petition is allowed at the motion stage. It is directed that respondent No.2 shall consider on the report dated 17.05.2017 (Annexure P/1) submitted by the respondent No.6 and take decision in accordance with law for doing the needful.
6. Accordingly, the petition stands disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge