

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.1840 of 2014
Date of decision : 10.01.2017

Kanta Devi

...Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

Present: Mr. Harshit Jain, Advocate for the petitioner.

Mr. Yatinder Sharma, Addl. A.G. Punjab.

AMIT RAWAL, J. (Oral)

The petitioner has knocked the doors of this Court by invoking Article 226/227 of the Constitution of India by challenging the orders dated 08.07.2008 (Annexure P-1) passed by the District Controller, Food and Civil Supplies and Consumer Affairs, Barnala, and 16.09.2009, whereby the statutory appeal preferred against the aforementioned order, has been dismissed by the Deputy Director, Food and Civil Supplies Department, Patiala Division, Patiala.

The entire writ petition does not disclose as to why the petitioner was prevented in not availing the legal remedy as ignorance of law is no bliss. In other words, the writ petition is conspicuously wanting

the explanation for delay and laches. The doctrine of delay and laches need not to be debated time and again. Even if the order had to be challenged by invoking the provision of Section 9 of Code of Civil Procedure by filing the suit, the limitation would have been three years whereas the present writ petition has been filed after five years. Even on merits, petitioner Distribution Licence bearing No.2008/3125, has been cancelled by invoking the provision of Punjab Public Distribution System (Licensing and Control), Order, 2003 of having been found in excess of kerosene oil. During the proceedings held before the DFSC, the petitioner was called upon to supply the copy of the sale register but failed to produce the same. It is in this background of the matter, the authorities formed an adverse opinion against the petitioner of having found allegedly indulging into sale of the kerosene in open market. Having failed to address the issue despite being given effective opportunity, I am of the view that the writ petition is liable to be dismissed on both grounds i.e. delay and laches and as well as on merits.

No ground for interference is made out.

The impugned orders are hereby upheld.

Writ petition stands dismissed.

10.01.2017

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**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No