

CWP No.26141 of 2017

[1]

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

**CWP No.26141 of 2017
Date of decision:16.11.2017**

Parmod Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Parmod Parmar, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The petitioner has challenged the order dated 05.07.2017 passed by respondent no.3 and order dated 05.09.2017 passed by respondent no.2, by which his license to run the Fair Price Shop has been cancelled and the security deposited in that regard has been forfeited.

Counsel for the petitioner has submitted that there was no complaint by any ration card holder but despite that respondent no.3, while exercising his powers under the Haryana Public Distribution Control and Order, 2009, cancelled the PDS license of the petitioner and also ordered for forfeiture of the security deposited by him. It is further submitted that respondent no.2 has also dismissed his appeal on flimsy grounds.

I have heard learned counsel for the petitioner and examined the available record with his able assistance.

The petitioner was served with a show cause notice after a complaint was received by the Deputy Commissioner and after certain shortcomings were reported, the petitioner was served with a show cause

notice for the following:-

- “1. The Stock Board was not fill-up on the spot.
2. List of Distribution Committee was not there at Depot.
3. No helpline number was written on the board.
4. The behaviour of the Depot Holder was not good. Threatened to come at depot.
5. The pulses were not distributed on time and were found left in stock on 03.05.2017.
6. When the stock and the register were tallied on spot and wheat was measured, then 21.40.00 Quintal wheat was found in shortage.”

The petitioner was given personal hearing and, thereafter, he was found remiss in the discharge of his functions and the impugned order was passed by respondent no.3 on 05.07.2017. The petitioner availed the remedy of appeal against the order passed by respondent no.3, in which it was found that the petitioner has committed serious irregularities.

Thus, I am not in agreement with the argument of the petitioner that though there was no complaint by the ration card holders, even then his license has wrongly been cancelled but the petitioner was actually not showing the register containing the entries of ration received and distributed.

In view thereof, I do not find any merit in the present petition and hence, the same is hereby dismissed, though without any order as to costs.

November 16, 2017
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned:	Yes/No
Whether Reportable:	Yes/No