

HIGH COURT OF CHHATTISGARH, BILASPUR

WA No. 602 of 2018

1. Smt. Leela Bai W/o Shri Khemram Sahu Aged About 30 Years President Of Jai Maa Karma Mahila Swa-Sahayata Samooh, Bahinga, R/o Village Bahinga, Tahsil And District Bemetara, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Food, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. Collector (Food Department), Bemetara, District Bemetara, Chhattisgarh.
3. Sub Divisional Officer (Revenue), Sub Division Bemetara, District Bemetara, Chhattisgarh.

---- Respondent

For Appellant

Shri Punit Ruparel, Advocate

For Respondent/State

Shri U.N.S. Deo, Govt. Advocate

Hon'ble Shri Justice Ajay Kumar Tripathi, CJ

Hon'ble Shri Justice Prashant Kumar Mishra

Judgment

Per Ajay Kumar Tripathi, CJ.

31/07/2018

1. Appellant pleads violation of principles of natural justice on the ground that the show cause notice was issued to her on 29-6-2017 and on the same day her licence for operating the Fair Price Shop (FPS) was ordered to be suspended by the Sub Divisional Officer (Revenue), Bemetara.
2. The learned Single Judge disposed off the writ petition giving liberty to the petitioner (appellant herein) to prefer an appeal

under Section 18 (1) of the Chhattisgarh Public Distribution System (Control) Order, 2016.

3. We do not feel that the learned Single Judge has committed any error by not exercising the power under Article 226 of the Constitution of India when there is statutory remedy provided under the Control Order itself.
4. In the result, the writ appeal is dismissed with liberty as granted by the learned Single Judge to move the appellate authority.
5. It is made clear that the delay caused, if any, due to filing of writ petition as well as writ appeal, shall be a valid ground if the condonation is required.

Sd/-
(Ajay Kumar Tripathi)
Chief Justice

Sd/-
(Prashant Kumar Mishra)
Judge

Gowri