

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.19550 of 2018

Date of decision: October 16, 2018

Balbir Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. S.S. Kharb, Advocate for the petitioner.

Rajan Gupta, J.

Petitioner has impugned order dated 26.08.2016 (Annexure P-12), passed by Deputy Commissioner, Panipat, whereby appeal filed by Mange Ram (respondent No.6 herein) against the order dated 22.3.2016 (Annexure P-10) was allowed restoring his ration depot as the same was cancelled by District Food and Supply Controller, Panipat. Petitioner has also impugned the order dated 14.3.2018 (Annexure P-14), whereby Deputy Commissioner, Panipat dismissed the appeal of the petitioner holding that PDS Licence issued to respondent No.6 was genuine.

On the basis of application submitted by Mange Ram son of Lakhmi, resident of village Wazirpur Titana, District Panipat (respondent No.6 herein), the PDS License/ration depot was issued to him by the Food and Supply Controller, Panipat for distributing the essential commodities to the card holders of his depot, which are supplied by the Government. On complaint of one Satpal son of Janeshwar, regarding cancellation of

licence of ration depot/fair price shop of Mange Ram, levelling allegations that Mange Ram had succeeded to get the license in collusion with the officials of the Department by way of cheating and fraud, no action was taken by District Food and Supply Controller, Panipat. Satpal then made a complaint in this regard to the Chief Minister, Haryana through CM Window at Panipat. Thereafter, complaints were also made by Sheela Sarpanch, Gram Panchayat Village Wazirpur Titana and other villagers. On 2.11.2015, the District Food and Supply Controller, Panipat rejected the complaint made by Satpal with liberty to file appeal, if he so desired. However, on the basis of complaint moved in C.M. Window, the District Food and Supply Controller, Panipat cancelled the ration depot of respondent No.6 on 22.3.2016, on the ground that he was found guilty of irregularity in distributing the ration. Appeal was preferred against the said order, which was accepted by the Deputy Commissioner, Panipat on 26.8.2016 and the order dated 22.3.2016, passed by District Food and Supply Controller, Panipat was set-aside and Depot of Mange Ram was restored.

The petitioner also preferred appeal against the order dated 2.11.2015, passed by District Food and Supply Controller, Panipat on the ground that PDS Licence was wrongly allotted to respondent No.6. Said appeal was also dismissed by the Deputy Commissioner, Panipat on 14.3.2018, observing that the District Food & Supply Controller, Panipat, being the licensing authority had allotted license to Mange Ram as per his discretion.

I find no infirmity with the orders passed by the authority. It

appears, petitioner had filed appeal against rejection of his complaint. The Deputy Commissioner, Panipat found that the PDS License was rightly issued to Mange Ram on merit and dismissed his appeal. There is, thus, no ground to interfere in writ jurisdiction of this court. Petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

October 16, 2018
'Rajpal'

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