

207+101 **IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 25812 of 2016 (O&M)

Date of Decision: 27.11.2018.

Devinder Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Ashok Bhardwaj, Advocate,
for the applicant-petitioner.

Mr. Vikas Mohan Gupta, Addl. AG Punjab.

JITENDRA CHAUHAN.J.(ORAL)
CM No. 230-CWP-2018

The application is allowed as prayed for. Annexure
P-1 is taken on record subject to all just exceptions.

CM No. 231-CWP-2018

The application is allowed as prayed for. Replication
is taken on record subject to all just exceptions.

Main case

The petitioner seeks quashing of order dated
09.11.2015 (Annexure P-1) passed by respondent No.3 vide which the
depot licence held by the petitioner has been cancelled and order dated
13.06.2016 (Annexure P-4) passed by respondent No.2 vide which the
appeal filed by the petitioner has been dismissed.

The main thrust of the argument raised by learned
counsel for the petitioner is that his case was not processed and decided

under the National Food Security Act, 2013 (for short “the Act”). He specifically makes mention of Sections 29(1), 32 and 33 of the Act. The allegations against the petitioner are that less ration was released by him to the consumers. There is a specific allegation that against the entitlement of 250 kg wheat, only 140 kg wheat was issued to the consumers. Though, it has come on record during the inquiry that there is some compromise however, the Court has to ignore the same as it is specifically made out and proved that less quantity of the articles were supplied to the consumers.

The second argument that the case of the petitioner deserves to be decided under the Act also does not have any merit as the issue pertains to the distribution and the order has been passed under the appropriate law.

Dismissed.

27.11.2018.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No