

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.3824 of 2018
Date of Decision:09.07.2018

Sushma Devi Petitioner
Vs.
State of Punjab and others Respondents

CORAM: HON’BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Mr.Amandeep Singh Manaise, Advocate,
for the petitioner.

Ms.Sunint Kaur, AAG, Punjab.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is directed against the order dated 4.5.2017 by which the licence of the petitioner for running a ration depot has been put under suspension in terms of Section 15(1) of the Punjab Targeted Public Distribution System (Licensing and Control) Order, 2016 [for short ‘the Order’].

Learned counsel for the petitioner has submitted that as per the second proviso to Section 15(1) of the Order, if a licence is suspended without giving an opportunity of hearing then the period of suspension cannot exceed ninety days whereas in the present case the suspension order has crossed the maximum period of ninety days long back. It is further submitted that otherwise the petitioner is entitled for an opportunity of hearing before any order of suspension is passed against her.

Learned counsel for the State could not defend the impugned order in view of the second proviso to Section 15(1) of the Order, therefore, the impugned order dated 4.5.2017 is hereby set aside. Liberty is otherwise given to the respondents to pass a fresh order, in case it is required, after giving an opportunity of hearing to the petitioner.

Disposed of.

(RAKESH KUMAR JAIN)
JUDGE

09.07.2018
Vivek