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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5503/2018 & CM APPL. 21451/2018**

**SH. YUDH VEER SINGH**

..... Petitioner

Through: Mr. Ankit Gupta, Adv

versus

**GOVT. OF NCT OF DELHI THROUGH SECRETARY FOOD SUPPLIES  
AND CONSUMER AFFAIRS AND ORS.**

..... Respondents

Through: Mr. Ranesh Singh, Standing Counsel  
for GNCTD with Mr. Anirudha  
Deshmukh and Mr. Chirayu Jain,  
Adv

**CORAM:**

**HON'BLE MR. JUSTICE RAJIV SHAKDHER**

**ORDER**

% **22.05.2018**

1. Issue notice.
2. Mr. Ranesh Singh accepts notice on behalf of the respondents.
3. With the consent of counsels, the writ petition is taken up for final hearing and disposal at this stage itself.
4. In view of order that I propose to pass, Mr. Singh says that he does not wish to file a counter affidavit in the matter.
5. The substantive prayers in the writ petition are as follows:-

*“i) Issue writ of Mandamus or orders or directions or any other writ directing the respondent No.1 and 2 to enquire the conduct of the Respondent No.3 in granting temporary licence to Fair Price Shops in the Area under circle No. 67, Babapur of NORTH-EAST, Delhi under Public Distribution Scheme(PDS).*

*ii) cost of the writ be awarded in favour of the Petitioner against the Respondents.”*

6. Counsel for the petitioner says that three representations have been made in this behalf, out of which two have been made to the respondents, and the third representation has been made to the SHO, PS Nandgiri.

7. Two representations which have been made to the respondents are dated 26.10.2016 and 19.12.2016. The third representation, which has been made to the SHO, is dated 20.06.2017.

8. Apart from this, the petitioner has also had his advocate serve a legal notice dated 02.01.2018 on the Special Commissioner, Food Supplies & Consumer Affairs. It appears that no action has been taken by any of the authorities despite the aforesaid representations/complaints.

9. My attention has been drawn to another representation which was made to the Special Commissioner, Food Supplies & Consumer Affairs Department dated 07.02.2018.

10. The sum and substance of these representations is that temporary licences granted to set up Fair Price Shops (FPS) to certain persons in North East district were based on affidavits which have been attested by the persons who were not registered as notaries.

11. For this purpose, my attention has been drawn to Annexure P5 (colly). This annexure, which is a response to an RTI inquiry made by the petitioner, is indicative of the fact that Mr. M.L. Garg and Mr. Dinesh Kumar Kashyap, who, attested the affidavits of persons who were issued temporary licences, were not appointed as notaries by the Central Government.

12. The response is also suggestive of the fact that the CPIO of the Central Government was not able to inform the information seeker as to whether or not the aforesaid mentioned persons were registered with GNCT of Delhi. The record further shows that insofar as Government of NCT of Delhi is concerned, its vigilance department had escalated the matter to the Commissioner, Food and Supply Department vide communication dated 10.08.2017. The said document is appended at page 103.

13. It appears that by way of a follow up action, the Secretary-cum-Commissioner, Food Supplies & Consumer Affairs Department wrote to the Asstt. Commissioner, North East. This communication is appended at page 104 of the paper book and is dated 06.11.2017.

14. However, the final outcome of the inquiry, if at all, carried out by any of the respondents, is not known.

15. Accordingly, the writ petition is disposed of with direction to respondents to conclude the matter and communicate the result of the same to the petitioners.

16. Needless to say, the inquiry be conducted with due expedition, though, not later than 10 weeks from the date of receipt of a copy of the order.

**RAJIV SHAKDHER, J**

**MAY 22, 2018**

**c**

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