

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1170 of 2019**

- Ekta Self Help Group Through President Smt. Pramila W/o Shri Sumeshwar, Aged About 39 Years, R/o Village Gangoti, Tahsil Bhaiyathan, District Surajpur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Food, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur Chhattisgarh
2. Collector Ambikapur, District Surguja Chhattisgarh
3. Sub Divisional Officer (Revenue) Bhaiyathan, District Surajpur Chhattisgarh
4. Food Inspector Bhaiyathan, District Surajpur Chhattisgarh
5. Chief Executive Officer Janpad Panchayat, Bhaiyathan, District Surajpur Chhattisgarh

---- Respondents

For Petitioner : Ms. Hamida Siddiqui, Advocate

For Respondents/State : Shri Sudeep Verma, Dy. GA

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****11/04/2019**

1. Heard.
2. The present petition is against the order of the Collector dated 31.12.2018 wherein the cancellation of the fair price shop of the petitioner was affirmed by dismissal of appeal.
3. Learned counsel for the petitioner would submit that as per the notification issued by the State government in case such orders are passed by the

Collector, the appeal would lie before the State government within a period of 30 days, therefore, she prays to withdraw the petition with liberty to file necessary appeal before the State Government and prays that the delay in filing the appeal may also be condoned.

4. Considering the submission made, the present petition is dismissed as withdrawn. The petitioner is allowed to file an appeal against the order of the Collector before the State Government within a period of 30 days from today. Further the liberty is also given to the petitioner to file an application under Section 5 of the Limitation Act stating the reasons of delay, including the copy of this order and in such case the concerned authority shall decide the application to condone the delay objectively.
5. Registry is directed to return the certified copy of the order dated 31.12.2018 (Annexure P-1) after retaining photocopy of the same.

Sd/-

Goutam Bhaduri
Judge

Ashu