

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

**CWP-19680-2019 (O&M)
Date of Decision:22.07.2019**

Malkiat Singh

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Ms. Harpreet Kaur, Advocate for the petitioner.

Ms. Anu Pal, DAG, Punjab.

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TEJINDER SINGH DHINDSA, J. (ORAL)

As per pleadings on record, petitioner was granted a license to run a depot to distribute essential commodities to the ration card holders under the Public Distribution System by the Department of Food, Civil Supplies and Consumer Affairs, State of Punjab.

Challenge in the instant petition is to the order dated 23.10.2017 (Annexure P-2) passed by the District Controller, Food, Civil Supplies and Consumer Affairs, Pathankot and in terms of which the license of the depot holder/petitioner has been suspended in ostensible exercise of the powers under the P.D.S. Licensing and Control Order, 2016.

Having heard counsel for the petitioner at length, this Court is of the considered view that the validity of the impugned order need not be gone into at this stage.

It is the averment made in the petition itself that the petitioner has preferred an appeal against the impugned order before the Director, Food, Civil Supplies and Consumer Affairs, Punjab at Annexure P-5. As per

counsel, no final decision thereupon has been taken till date and the same is still pending consideration.

In the considered view of this Court, respondent No.2 should take a final decision on the appeal that had been preferred by the petitioner at Annexure P-5.

Notice of motion.

On the asking of the Court, Ms. Anu Pal, learned DAG, Punjab accepts notice on behalf of respondents No.1 to 4. A complete copy of the writ paper book already stands furnished to learned State counsel.

Statement of learned State counsel is recorded to the effect that in case the appeal at Annexure P-5 preferred by the petitioner is still pending before respondent No.2, the same would be duly considered and a decision on merits would be taken expeditiously and in any case within a period of two months from the date of receipt of a certified copy of this order.

In view of such statement on behalf of the State, no further directions are required to be passed.

Writ petition is disposed of.

22.07.2019

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |