

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 1250 of 2020**

1. Gayatri Jaiswal W/o Ravi Jaiswal Aged About 45 Years President - Palak Mahila Self Help Group Ambikapur, Post Ambikapur, Block Ambikapur, Tehsil Ambikapur, District Sarguja Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Food And Civil Supplies, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur, District Raipur Chhattisgarh.
2. The Collector Sarguja (Food Branch) District Sarguja Chhattisgarh
3. Manager Chhattisgarh State Civil Supplies Corporation Center Ambikapur, District Sarguja Chhattisgarh
4. The Food Officer District Sarguja Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Akhilesh Kumar, Adv.
For State/Respondent	:	Mr. V.R. Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****18/06/2020**

1. The challenge in the present writ petition is to the order of the Food Officer-Respondent No. 4 dated 29.05.2020 (Annexure P/5) whereby on some allegations of shortcomings in the running of the fair price shop, and the finances given to the petitioner have been suspended and the fair price shop has been attached to another society.
2. At the outset, this Court is of the opinion that the issue involved in the present case is governed under the Chhattisgarh Public Distribution System (Control) Order 2016. Under the said control order clause 18 specifically provides for an appeal to be preferred to the Collector in the event of any suspension or cancellation of allotment of a fair price shop.
3. In view of there being an alternative remedy available to the petitioner, the present writ petition in its present form would not be maintainable.

4. The writ petition accordingly is disposed of directing the petitioner to avail the remedy under Clause-18 of the Control order 2016 before the Collector. The petitioner is also at liberty to move an interim application before the Collector seeking stay of the effect and operation of the impugned order dated 29.05.2020.
5. It is further directed that in the event, if the petitioner approaches the Collector by way of an appeal along with an application for interim relief, it is expected that the Collector shall consider and decide the interim application at the outset itself.
6. The writ petition accordingly stands disposed of.

Sd/-

(P. Sam Koshy)
Judge

Jyotijha