

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 1849 of 2020

Maa Sharda Mahila Swa Sahayata Samuh Doda, Through Its One Of The Member-Heeraram Sahu S/o Goverdhan Sahu, Aged About 55 Years, R/o Village Doda, Tahsil Mungeli, District Mungeli Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through the Secretary, Food and Civil Supplies Department, Mahanadi Bhawan, Mantralaya, Nawa Raipur Chhattisgarh.
2. The Collector Mungeli, District Mungeli Chhattisgarh.
3. The Sub-Divisional Officer Mungeli, District Mungeli Chhattisgarh.
4. Jago Mahila Swa-Sahayata Samuh Pauni, Tahsil Mungeli, District Mungeli Chhattisgarh.

---Respondents

For Petitioner	:	Shri Dashrath Prajapati, Advocate.
For Respondent-State	:	Shri Anand Verma, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

25.08.2020

1. The challenge in the present writ petition is to the order dated 03.04.2020 (Annexure P/1) passed by the Sub Divisional Officer (Revenue), District Mungeli, suspending the fair price shop allotted to the petitioner and handing it over to the respondent No.4.
2. The counsel for the petitioner submits that before passing of the impugned order of suspending the fair price shop a show cause notice was issued to the petitioner on 07.03.2020 (Annexure P/4). To the said show cause notice, the petitioner had specifically denied all the allegations made therein vide Annexure P/5. However, without considering the reply so submitted by the petitioner, the respondents have straightaway passed the impugned order of suspension Annexure P/1 dated 03.04.2020.
3. The writ petition was filed as early as now on 19.08.2020 whereby the contention of the petitioner is that on one hand the order of suspension has been passed without conducting any sort of investigation or

preliminary enquiry and on the other hand after issuance of the order of suspension on 03.04.2020 though more than 4 and ½ months have passed, the respondents have till date not concluded the proceedings against the petitioner, if any initiated.

4. Learned counsel appearing for the State submits that the order of suspension has been passed taking into consideration the allegations that were levelled against the petitioner as is reflected from Annexure P/4 dated 07.03.2020. However, on a query to the State counsel as to what further development has transpired beyond 07.03.2020 and 03.04.2020 he submits that if till date no final decision has been taken by the respondent authorities, the petition may be disposed of directing the authorities to take a decision on the proceedings drawn against the petitioner at the earliest.
5. Given the said submissions made by the counsel for the State, the writ petition stands disposed of directing the respondent No.3 to take a decision in respect of the petitioner's shop being placed under suspension in accordance with law at the earliest preferably within a period of 60 days from the date of receipt of copy of this order.
6. The petitioner shall apprise the respondent No.3 so far as the order passed by this court is concerned.
7. The Writ Petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge