

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (C) NO. 2600 OF 2020**

- Maa Durga Mahila Swa Sahayta Samooh Aachhidongari Through Its President Smt. Kanta Bai Sahu W/o Shri Mannu Ram Sahu, Aged About 52 Years, R/o Village Aachhidongari, Thana And Tahsil Lormi , Civil And Revenue District Mungeli Chhattisgarh.

... Petitioner**Versus**

1. The State Of Chhattisgarh Through Secretary, Department Of Food Civil Supply And Consumer Protection , Mantralaya Mahanadi Bhawan, Capital Complex New Raipur District Raipur Chhattisgarh.
2. Collector Mungeli District Mungeli Chhattisgarh.
3. Sub Divisional Officer (Revenue) Lormi, District Mungeli Chhattisgarh.
4. Smt. Sarita Burman President Mahamaya Mahila Swa Sahayta Samooh Pardeshi Kpa Khairwakhurd, Thana And Tahsil Lormi , Civil And Revenue District Mungeli Chhattisgarh.
5. Smt. Kumari Banjara Secretary Mahamaya Mahila Swa Sahayta Samooh Pardeshi Kpa Khairwakhurd , Thana And Tahsil Lormi, Civil And Revenue District Mungeli Chhattisgarh.

... Respondents

For Petitioner	:	Mr. Sunil Sahu, Advocate.
For Respondents/State	:	Mr. Raghvendra Verma, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****09/11/2020**

1. Grievance of the petitioner in the present writ petition seems to be the order passed by the Collector, District Mungeli, in Appeal Case No. 01/B-121/2020-21.
2. The dispute revolves around the order of suspension of the fair price shop belonging to the petitioner. The order of suspension is dated 30.9.2020. The petitioner immediately preferred an appeal before the Collector against the said order. The Collector at the first instance on 5.10.2020 granted stay of the order of suspension. However, subsequently, abruptly the stay order has been vacated on 12.10.2020 by the Collector without deciding the appeal on its own merits, though the Collector had admitted the appeal for final hearing.
3. Given the facts and circumstances that the petitioner has raised in the present writ petition and also taking note of the fact that the Collector at the first instance had granted stay to the petitioner, this Court is of the opinion that it would had been more appropriate if the appeal itself would had been decided by the Collector, rather than considering the interim application itself.

4. Under the circumstances, the present writ petition at this juncture is being disposed of directing the Collector to decide the appeal itself at the earliest, preferably within a period of 45 days from today. Meanwhile, the interim order which the Collector had passed on 5.10.2020 to continue to the period till the appeal is finally decided.

5. Writ Petition accordingly stands disposed of with the aforesaid direction/observation.

/sharad/

**Sd/-
(P. Sam Koshy)
JUDGE**