

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2662 of 2020

- Pushpa W/o Yogendra Singh Aged About 50 Years President Nischay Laxmi Mahila Saw Sahayata Samuh Domnara Kharsiya District Raigarh, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Department Of Public Distribution System Food Department, Mahanadi Bhawan Mantralaya Atal Nagar Naya Raipur District Raipur, Chhattisgarh
2. Collector Raigarh, District Raigarh, Chhattisgarh
3. Sub Divisional Officer (R) Kharsiya, District Raigarh, Chhattisgarh

---- Respondents

For Petitioner	:	Shri F.S. Khare, Advocate
For State	:	Ms. Richa Shukla, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19.11.2020

Heard

1. Learned counsel for the petitioner would submit that against the cancellation of allotment of fair price shop, an appeal was preferred under the C.G. Public Distribution (Control) Order 2004 before the Collector and along with the appeal an interim application was filed to stay the order of cancellation passed by the SDO, Kharsiya. It is contended that the Collector by its order dated 30.09.2020 (Annexure P-1) has dismissed the application for interim stay. He further submits that if in the meanwhile the fair price shop is allotted to any other person or any other body and in case the appeal is allowed then the right of the petitioner would be defeated.
2. Perused the documents.

3. Perusal of order dated 13.09.2020 would show that the appeal is admitted for hearing, however stay has not been granted resulting into cancellation of the allotment of the shop of the petitioner. Since, appeal is already admitted it is observed that this petition is disposed of with the direction that any further allotment of new fair price shop shall be subject to final outcome of the appeal preferred by the petitioner before the Collector bearing No. 46 of 20419-20.
4. With the aforesaid observation, the present writ petition stand disposed of.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti