

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

102

CWP-8297-2020

Date of decision: 19.06.2020

Ranbir Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Ms. Rupinder K. Thind, Advocate
for the petitioner.

ARUN KUMAR TYAGI, J. (ORAL)

The case has been taken up for hearing through video conferencing.

Learned Counsel for the petitioner has submitted that respondent No. 3 has illegally suspended the supply of Essential Commodities to the Depot of the petitioner on the basis of recommendation made by Assistant Food and Supplies Officer, Ellenabad as to less supply to the ration card holders and misappropriation thereof without giving any opportunity of being heard to the petitioner.

Learned Counsel for the petitioner has further submitted that the petitioner has filed the appeal before the Deputy Commissioner, Sirsa, exercising the powers of Appellate Authority under PDS Control Order, 2009 but the Appellate Authority has neither decided the stay application nor the appeal and appropriate directions for expeditious disposal of the same may be issued.

Notice of motion.

Mr. Gaurav Jindal, Addl. A.G., Haryana has accepted notice on behalf of the respondents. Copy of the paper book has already been supplied to learned State Counsel by the Registry.

Learned State Counsel has submitted that the Appellate Authority will dispose of the appeal and also the application for stay within time frame as per such directions of this Court as may be considered appropriate.

In view of the facts and circumstances of the case, the Deputy Commissioner, Sirsa, exercising the powers of Appellate Authority under PDS Control Order, 2009 is directed to expeditiously decide the stay application preferably within one week and the appeal preferably within a period of two months by giving opportunity of being heard to the parties through video conferencing.

Till decision of the stay application operation of the impugned order dated 18.04.2020 (Annexure P-1) shall remain stayed with consequence of restoration of supply to the ration depot of the petitioner who shall be bound to disburse the same to the ration card holders as per direction of the concerned authorities and by taking specific written acknowledgement as to supply of complete ration as per entitlement.

The petition is disposed of accordingly with directions as aforesaid.

19.06.2020

kavneet singh

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No