

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

**CWP No. 11077 of 2019 (O&M)
Date of Decision:08.01.2020**

Kishan Lal

.....Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr.Sanjiv Gupta, Advocate
for the petitioner.

Ms. Sofia Gupta, AAG., Haryana.

LISA GILL, J(Oral).

Prayer in this petition is for quashing of order dated 06.03.2019 (Annexure P-1), passed by respondent no.3-District Food Civil Supplies and Consumer Affair Controller, Sirsa (Haryana), wherein supply to the ration depot of the petitioner, has been suspended.

A preliminary objection has been raised by the respondents to the effect that the petitioner, without approaching to the authorities, has filed the present writ petition. Learned counsel for the State, submits that, in case, the petitioner files an appeal before the competent authority, the matter would be considered in terms of Clause 16 of the Food and Supplies Department Order dated 13.07.2019. As per Clause-13 of the said order, the supply to the holder of a license can be suspended immediately by the authorities, without issuance of any notice, in case, the holder contravenes any of the said terms or conditions, without prejudice to any other action which may be taken against him. There is a provision of an appeal provided

in the said order in Clause-16 thereof, which should be filed within thirty days of the date of order by the licensing authority.

In the facts and circumstances of the case, this petition is disposed of with the observation that, in case, an appeal is filed by the petitioner within 15 days of receipt of the certified copy of this order, the same shall be considered by the authorities in terms of the statement made by learned counsel for the State in Court today, in accordance with law.

It is clarified that there is no expression of opinion on the merits of the case, which needless to say, shall be considered by the competent authority, in accordance with law.

08.01.2020
s.khan

[LISA GILL]
Judge

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