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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.16261 of 2020 (O&M)

Date of decision: 06.10.2020

Sandeep Kumar

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. GPS Bal, Advocate
for the petitioner.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this writ petition is for issuance of writ in the nature of Certiorari, for quashing the impugned order dated 09.06.2020 passed by the District Food Supply Controller, Fazilka, suspending the licence of the Ration Depot of the petitioner on the basis of some complaint regarding irregularity.

Counsel for the petitioner has submitted that the petitioner was served with a show cause notice and simultaneously, his licence was also suspended. It is further submitted that the petitioner has already given a representation (Annexure P2) against the show cause notice, however, no action has been taken so far. It is also submitted that even against the impugned order of suspension, the petitioner has filed an appeal before the Appellate Authority on 09.09.2020 along with an application for stay, however, the same has not been decided and under the Rules, the suspension of the licence cannot be more than 90 days and in the instant case from the date of order i.e. 09.06.2020, the same is already expired on 09.09.2020.

CASE HEARD THROUGH VIDEO CONFERENCING

Notice of motion.

Ms. Monica Chhiber Sharma, Sr. DAG, Punjab, who is appearing through video conferencing, accepts notice on behalf of the respondent – State and raised an objection that since the appeal is pending, a direction be issued to the Appellate Authority to dispose of the same.

After hearing the counsel for the parties and considering the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition with a direction to the Appellate Authority to dispose of the appeal filed by the petitioner within a period of 06 months from today.

Ordered accordingly.

Till the time the appeal is decided, the operation of the impugned order dated 09.06.2020 shall remain stayed.

(ARVIND SINGH SANGWAN)
JUDGE

06.10.2020

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No