

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 273 of 2021

Toran Radha Krishna Women Slf Help Group Karmu Through President Smt. Rukhamani W/o Ramavtar Verma Aged About 37 Years, President Of Toran Radha Krishna Women Self Help Group Karmu Block- Saja, Tahsil Thankhamhariya District Bemetara, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Food And Civil Supply Mahanadi Bhawan New- Raipur, District- Raipur, Chhattisgarh
2. The Collector (Food Department) Bemetara, District Bemetara, Chhattisgarh
3. The Sub, Divisional Officer (Revenue) Saja, District Bemetara, Chhattisgarh
4. The Food Inspector Saja District Bemetara, Chhattisgarh,
5. The Gram Panchyat-Pendarikala/ Operatior Of Faire Rice Shop Pendarikala Through Secretary Gram Panchayat,- Pendarikala Block- Saja, Tahsil- Thankhamhariya District Bemetara, Chhattisgarh

---- Respondents

For petitioner – Shri A.N. Pandey, Advocate.
For State- Shri Gagan Tiwari, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

27/01/2021

Heard.

1. Learned counsel for the petitioner submits that the petitioner was served with a show cause notice on 21/07/2020 by Annexure P-5 that certain illegalities are existing in the fair price shop. Subsequently by 17/08/2020 (Annexure P-1) the fair price shop was suspended which was being run by the petitioner. The suspension was made in exercise of

power under Order 16 (1) of the Chhattisgarh Public Distribution System (Control) Order, 2016. Learned counsel submits that despite the suspension having been made on 17/08/2020 though Order 16 (1) mandates that the proceeding be concluded within three months, it has not been yet done, therefore irreparable loss has been caused.

2. Order 16 (1) of the Chhattisgarh Public Distribution System (Control) Order, 2016 reads as under:-

“16. Penalty-(1) If the Shopkeeper contravenes any provision of the agreement then he shall be liable for suspension or cancellation by the officer authorized for allotment of Fair Price Shop. The time limit for redressal of such cases shall not exceed three months.”

3. The said order prescribes that when the suspension has been made the time limit for redressal of such case shall not exceed three months. Here in this case as per the show cause the petitioner has filed the reply, however redressal has not been made in either way by the respondent/State. Therefore, it is directed that respondent No.3, Sub Divisional Officer (Revenue) Saja, District Bemetara shall conclude the proceeding of the petitioner within a further period of 30 days from the date of receipt of this order.

4. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE