

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1506 of 2021

- Ambika Swayam Sahayata Samuh Through Its President Smt. Munni Devi W/o Shri Ogarsai Aged About 41 Years R/o Village- Newra, P.S. And Tehsil Surajpur, District Surajpur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Collector Surajpur, District Surajpur, Chhattisgarh
 2. Sub Divisional Officer (Revenue) Surajpur, District Surajpur, Chhattisgarh
- Respondents**

For petitioner	:	Mr. Surfaraj Khan, Advocate.
For State	:	Mr. P. Acharya, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order

17.03.2021

Heard.

1. Learned counsel for the petitioner submits that against the cancellation of the allotment of the Fair Price Shop by order dated 19.11.2020 (Annexure P/2), the petitioner has preferred an appeal under Order 18 of the Chhattisgarh Public Distribution System (Control) Order, 2016. He submits that along with the appeal memo, interim prayer has been made to stay the effect and operation of the cancellation order dated 19.11.2020. It is further contended that till date, neither the appeal nor the interim application is heard and in the meanwhile if certain allotments are made then it would lead to multiplicity of the proceeding and would render the appeal infructuous. Therefore, the Collector may be directed to decide the application for interim relief within a time frame.
2. Having heard learned Counsel for the petitioner and after perusal of the documents, it appears that by order dated 19.11.2020 (Annexure P/2), the

allotment of Fair Price Shop has been canceled that of the petitioner and against that order, the appeal has been preferred by Annexure P/1 and memo of appeal also contains an application for interim relief. Since it has been stated that the interim application is not being heard and it appears to be quite logical and in the meanwhile if the allotment is made, then in such case the appeal may be rendered infructuous. The document shows that the appeal has been filed long back on 26.11.2020. In such circumstances, it is directed that the Collector may decide the application for interim relief filed along with memo of the appeal within a reasonable period and till then, no further allotment of the Fair Price Shop be made in favour of the third party if it has not been made as on today.

3. With the aforesaid observation/ direction, the writ petition stands disposed off.

Sd/-

(Goutam Bhaduri)

JUDGE