

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1491 of 2021**

- Jai Ma Durga Swa Sahayata Samuh Pousari, Village Pousari, Janpad Panchayat Simga, District Baloda Bazar Bhatapara, Chhattisgarh. Through Its President Smt. Neera Sahu, Aged About 55 Years, W/o Tijauram Sahu, R/o Village Pousari, Post Hathband, Thasil Simga, District Baloda Bazar Bhatapara, Chhattisgarh,

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Food Civil Supplies, Consumer Protection Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Naya Raipur, Chhattisgarh,
2. State Of Chhattisgarh Through Collector, District Baloda Bazar Bhatapara, Chhattisgarh,
3. Sub Divisional Officer, Thasil Simga, District Baloda Bazar Bhatapara, Chhattisgarh,
4. Panchayat Of Village Pousari, Thasil Simga, District Baloda Bazar Bhatapara, Chhattisgarh,

---- Respondents

For Petitioner : Mr. Hemant Gupta, Advocate

For State : Mrs. Astha Shukla, P.L.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****16.03.2021**

Heard

1. Learned counsel for the petitioner submits that the petitioner is running a Fair Price Shop which is a society registered under the Society Registrickaran Adhiniyam and subsequently, by an order dated 28.11.2020 (Annexure P/1), the Fair Price Shop of the petitioner at Village Pousari, Tahsil Simga Distt. Baloda Bazar Bhatapara was suspended and was attached with the other Fair Price Shop by the respondent No. 3. It is further submitted that before such suspension, no opportunity of hearing was given to the petitioner which is in violation of the Order 16(3) of the Chhattisgarh Public Distribution System (Control) Order, 2016 [henceforth referred as 'Control Order, 2016']. It is further submitted that the petitioner filed a representation on

21.12.2020 vide Annexure P/4 to the respondents No. 2 & 3 and the same has yet not been decided.

2. Considering the fact that the considerable time has passed as the Fair Price Shop was suspended on 28.11.2020 (Annexure P/1) as per mandate of the Control Order, 2016, the same has to be concluded within a period of three months. Taking into such fact, the SDO Simga is directed to decide the representation filed by the petitioner finally within a period of 45 days from the date of receipt of copy of this order and that too after giving a due opportunity of hearing to the petitioner.
3. With such observation/ direction, the writ petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge