

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1940 of 2021

- Smt. Shanti Bai W/o Chaitram Kurrey Aged About 50 Years Chairman/ President, Manimata Swah Sahayta Samuh, Belgahni- B, Block- Baloda, District Janjgir Champa Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Civil Supplies, Mantralaya, Mahanadi Bhawan, P. S. Rakhi, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh.,
2. Collector Janjgir- Champa Chhattisgarh.,
3. Sdo Revenue Janjgir District Janjgir- Champa Chhattisgarh.

---- Respondents

For Petitioner : Mr. N.K. Chatterjee, Advocate

For State/Respondents : Mr. Siddharth Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order

08.06.2021

1. Heard
2. The present writ petition has been filed by the petitioner against the suspension order dated 19.08.2020 wherein the petitioner's Fair Price Shop was suspended. The contention of the petitioner is that after the said suspension, she has filed the reply/ representation to restore the Fair Price Shop at Village Belgahni Tehsil Baloda Distt. Janjgir Champa and the suspension order may be revoked.
3. Perusal of the documents filed along with the petition would show that subsequent to the suspension order, a show cause notice for cancellation of the Fair Price Shop was issued on 05.10.2020 vide Annexure P/1. Since the matter is still required to be adjudicated at the hands of the prescribed authority, this petition is premature. As per Clause 16 of the Chhattisgarh

Public Distribution System (Control) Order, 2016 which contemplates that the hearing to be given to the concerned person before any cancellation order is passed. Since the notice has already been served to the petitioner, therefore at this stage, this Court will not go into the fact finding issue. Instead the ends of justice can be achieved if Respondent No. 3 SDO Revenue Distt. Janjgir Champa is directed to hear the case of the petitioner by giving them an appropriate opportunity of hearing.

4. Accordingly, it is directed that if the final order has not been passed then the SDO Revenue Distt. Janjgir Champa who is in hold of the case of the petitioner shall decide the case of the petitioner within a further period of 60 days from the date of receipt of copy of this order.
5. With the aforesaid direction/ observation, the writ petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge