

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

Sr. No.101

**CWP-18924-2021 (O&M)
Date of decision : 22.09.2021**

Gurcharan Singh

..... Petitioner

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Ritesh Pandey, Advocate, for the petitioner.

Mr. Lavanya Paul, AAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner was an applicant for license of fair price shop. The application was duly supported by a Resolution of the Gram Panchayat. After consideration of the same, the competent authority has rejected it.

Learned counsel for the petitioner submits that the application was not considered in the proper perspective and in accordance with the Rules.

He has taken me through the report dated 25.08.2021 submitted by the Assistant Food & Supply Officer to the superior authorities, wherein, it has been mentioned (i) application has been made without conducting any munadi, (ii) ownership is in the name of Paramjit Singh and said Paramjit Singh has not given any affidavit, (iii) electricity meter installed in the shop is in the name of Paramjit Singh and (iv) certificate of class-XII and marks-sheet attached with it do not make it clear that the applicant is class-XII pass. It is submitted by learned counsel for the petitioner that infact munadi was done. Paramjit Singh is none other than the father of the petitioner and the petitioner is his only son. There is no discrepancy in the class-XII certificate and marks-sheet. The application has been considered

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with an inherent bias and only for the purpose of rejecting the candidature of the petitioner.

There is nothing on record to show that munadi was infact done before inviting applications. Paramjit Singh may be the father, but in accordance with the Rules, he was required to submit an affidavit regarding him having no objection to the user of the shop by the petitioner. The record does not suggest that such an affidavit was submitted. These two grounds were sufficient to reject the candidature of the petitioner, although, nothing can be said regarding the grounds of rejection as order of rejection of application is not on record. As mentioned earlier, the document dated 25.08.2021 (Annexure P-1) is a report made by the Assistant Food & Supply Officer after scrutinizing the applications and while forwarding the case for further consideration.

In view of the above, the writ petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

22.09.2021

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No