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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-15840-2020

Date of decision: 12.07.2022

RAMANDEEP KAUR

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. P. S. Jammu, Advocate
for the petitioner.

Ms. Kirti Singh, DAG, Haryana.

Mr. J. S. Gill, Advocate
for respondent No.5.

JAISHREE THAKUR, J. (Oral)

The instant writ petition has been filed seeking a writ in the nature of certiorari for setting aside the impugned order dated 07.08.2020 (Annexure P-3) passed by respondent No.2 whereby, respondent No.5 has been permitted to run a Fair Price depot without any opportunity of hearing to the petitioner herein to whom the depot had already been allotted.

In brief, the facts that can be culled out is that respondent No.5 was running a Fair Price Shop under the PDS Scheme in village Lakadwali. In August, 2016 he had surrendered his licence by way of written application and resigned as a depot holder and, therefore, the same was allotted to the petitioner herein, who was running the same. Respondent No.5 namely Ram Partap, who had given up his licence approached the Deputy Commissioner, Sirsa for restoration of the said ration depot, which was allowed by the Deputy Commissioner, Sirsa vide order

dated 07.08.2020. The petitioner who had been allotted the said ration depot was not made a party to those proceedings, which then necessitated the filing of the instant writ petition.

The grouse of the petitioner herein is that once the depot had been allotted to her, it could not be cancelled summarily without affording her an opportunity of hearing.

Short reply, filed on behalf of respondent Nos.1 to 4 in Court today, is taken on record. As per the reply, it is stated that the licence as issued to respondent No.5 has now been cancelled. It is submitted that respondent No.5 was issued show cause notices regarding the cancellation of his licence and after affording him due opportunity, the licence stands cancelled and that the supply of ration to the depot of the petitioner herein has been smooth and continuous. Learned counsel for the petitioner is not able to deny the facts as submitted.

In view of the reply filed in Court today, the instant writ petition is disposed of as having rendered infructuous.

12.07.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable : Yes No