

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

202

**CWP No.25795 of 2018
Date of Decision:25.08.2022**

GURMEL SINGH & ORS

-Petitioner

Vs

STATE OF PUNJAB & ORS

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Om Pal Sharma, Advocate,
for the petitioner.

Mr.R.S.Pandher, Sr.DAG, Punjab.

Mr.Ravi Gakhar, Advocate
for the respondents.

RAJ MOHAN SINGH, J. (ORAL)

In view of the impugned order passed by respondent No.2, restoring the ration depot licence of respondent No.7, the Appellate Authority has found that the complaints filed by the petitioners were on account of village politics. The impugned order was passed on the basis of re-assessment of the factual position and the same was conducted in the form of enquiry by F.S.O. Kharar, who after conducting the enquiry, had submitted his report to the DFSC, SAS Nagar. In the enquiry report, it has been found that respondent No.7 was distributing the essential commodities properly. Department of Food Civil Supplies and Consumer Affairs, Punjab, before restoring the licence of depot holder, has also sought advice from the office of SDM,

Derabassi, who has concurred with the enquiry report vide letter dated 26.06.2018, thereby, writing to the Director, Food Civil Supplies and Consumer Affairs, Punjab/ respondent No.2 that his office has no objection if the licence of deport holder is restored. In terms of Clause 15 of PTPDS (LLC) Orders 2016, powers to suspend and cancel the licence lie with the District Magistrate. Passing of impugned order of cancellation of licence dated 31.05.2017 is also found to be without jurisdiction.

In view of the aforesaid position, this writ petition is found to be totally bereft of merit and is accordingly dismissed.

25.08.2022
anita

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No