

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

CWP No. 1762 of 2021 (O&M)

DECIDED ON: 2nd February, 2023

Malkiat Singh

.....PETITIONER

VERSUS

State of Punjab and others

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Anmol Jeevan Singh, Advocate for petitioner.

Mr. Rajesh Mehta, Additional Advocate General, Punjab.

AVNEESH JHINGAN, J (ORAL)

This petition is filed for quashing of order cancelling the licence of petitioner and dismissal of the appeal against the impugned order.

The brief facts are that the petitioner-Malkiat Singh was allotted Depot. Vide report letter Memo No.155 dated 17.10.2017, deficiencies were found in the working of Depot i.e. excess money was charged and less quantity of food grains were given to the Card Holders and the attitude of the Depot holder was not cordial towards the Card Holders. Vide order dated 29.1.2020, licence of the depot holder was cancelled. The appeal filed against the order of cancellation was dismissed. Hence, the present petition.

Learned State counsel submits that the order of cancellation is challenged on the ground that District Controller Food, Civil Supplies and Consumer Affairs, Amritsar, (for short 'DFSC') had no jurisdiction to pass orders. He has produced notification dated 5.1.2023 amending the Punjab Targeted Public Distribution System (Licensing and Control) order, 2016, whereby word "District Magistrate" has been substituted with "Licensing

Authority." He further on instructions submits that in view of amendment, the orders passed by DFSC cancelling the licences have been revoked and liberty is sought to pass a fresh order if need so arises.

In view of statement made by learned State counsel, no interference is called for, the petition is disposed of.

Needless to say that the respondents would be at liberty to proceed in accordance with law, if need so arises.

Since the main case has been decided, the pending application, if any is rendered infructuous.

2nd February, 2023
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>