

CWP No. 2527 of 2021 (O&M)

[1]

2023:PHHC:051316

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No. 2527 of 2021 (O&M)

Date of decision: 13th April, 2023

Jagjit Singh

Petitioner

Versus

State of Punjab and others

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: None for the petitioner.
Mr. Charanpreet Singh, AAG, Punjab

AVNEESH JHINGAN, J (Oral):

This writ petition in the nature of *Certiorari* was filed seeking quashing of notice dated 7.12.2020 and other public notices with regard to opening of Fair Price Shop/Ration Depot in the village.

None is present on behalf of the petitioner. Similar was the position on the last date.

Learned counsel for the State submits that no cause of action survives for pursuing the present petition in view of order dated 15.2.2023 passed in CWP No. 963 of 2021—***Ransher Singh and others v. State of Punjab and others*** and connected matters. The submission is that an affidavit was filed by the respondents that fresh advertisement/public notice would be issued. On instructions from Gurmeet Singh, LA, Food Supplies Department, he submits that in compliance with the affidavit, fresh advertisement has been issued.

Order dated 15.2.2023 passed in ***Ransher Singh and others'*** ***case (supra)*** is reproduced below:

“1. These are bunch of petitions challenging the public

notice dated 25th November, 2020 and the details of vacancy uploaded on the website.

2. The public notice published in the newspaper was that the person interested for a depot of fair price shop can get the information with regard to the vacant vacancies, eligibility and other conditions from District Controller, Food and Supply and Consumer affairs of their respective district.

3. The grievance raised in the present petitions is that advertisement was not in compliance with the policy dated 15th June, 2016 prescribing the reservation of various classes.

4. Learned State counsel has filed an affidavit dated 15th February, 2023 in CWP No. 963 of 2021. He on instructions from Ms. Sweety Devgan, Deputy Director and Ms. Mamta Garg, Inspector, Grade I, Head office, who is present in the Court submits that the affidavit is adopted in all connected petitions.

5. It would be appropriate to mention here that in all these petitions except two while issuing notice of motion, interim directions were issued that allocation of depot would be subject to the outcome of the petition or in the meantime, the process of allocation of ration depot shall remain stayed.

6. The impugned public notice published in the newspaper was only an information and gives no basis for the grievance raised by the petitioner in the present petitions.

7. During the pendency of petitions, the respondent realising that procedure adopted after public notice had discrepancies, decided to issue fresh advertisement/public notice. Paragraph No. 3 of the affidavit dated 15th February, 2023 is reproduced below:-

“ That it has been decided that all district Controllers Food Civil Supplies and Consumer Affairs of all Districts in State of Punjab, would issue fresh advertisement/public notice in each districts for allotment of Fair Price Shops specifically mentioning numbers of vacancies as per the reservation

quota of each category in the Depot allotment policy and any subsequent amendments connected with policy for applying the licence by the applicant with cut off date in the leading two newspapers (one in Punjabi and one in Hindi) within three weeks from the date of submission of this affidavit in this Hon'ble Court.”

8. Learned State counsel on instructions submits that for all depots fresh determination for eligibility and allotment would be done in pursuance to the new advertisement to be issued. Further that till allotment of the depot is finalized, as an interim measure, the persons who have been allotted depot shall continue.

9. In view of the above, no further directions are called for, the petitions are disposed of.

10. Needless to say that petitioners would be at liberty to avail remedies for redressal of surviving grievance, if any, in accordance with law.

11. A photocopy of this order be placed on the files of connected cases.”

In view of the above, the petition is disposed of as infructuous.

Needless to say that the petitioner would be at liberty for seeking revival of the petition in case there is factual discrepancy in the statement made by learned counsel for the State today.

Since the main petition has been disposed of, pending application, if any, is rendered infructuous.

[AVNEESH JHINGAN]
JUDGE

13th April, 2023
mk

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No