

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

**CWP No.2538 of 2020 (O&M)
DECIDED ON: 14th February, 2023**

Major Singh

.....PETITIONER

VERSUS

State of Punjab and others

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Abhishek Kaushik, Advocate with
Mr. Vijay K. Jindal, Advocate for petitioner.

Mr. Mandeep K. Sajjan, Advocate for applicant in CM-8765/2020.

Mr. Charanpreet Singh, AAG Punjab.

AVNEESH JHINGAN, J (ORAL)

This petition is filed for quashing of order cancelling the licence of Depot holder and order dismissing the appeals.

The brief facts are that the petitioner-Major Singh was allotted Depot. A complaint was received against petitioner. In enquiry conducted it was found that distribution of wheat amongst card holders was not in fair process and the same was embezzled in large scale and vide order dated 5.12.2018, 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 orders of cancellation are 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 He further on instructions submits that in view of amendment the orders passed by DFSC cancelling the licence has been revoked and liberty is sought to pass a fresh order if need so arises.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 cases have been decided, the pending application, if any is rendered infructuous.

14th February, 2023

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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No