

CWP No. 3688 of 2023

[1]

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No. 3688 of 2023 (O&M)

Date of decision: 23rd February, 2023

Bhagwant Singh

Petitioner

Versus

State of Punjab and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. R. K. Arya, Advocate for the petitioner.
Mr. Charanpreet Singh, AAG, Punjab.

AVNEESH JHINGAN, J (Oral):

1. This petition in the nature of *Certiorari* is filed seeking quashing of licence of fair price shop granted to respondent No. 4.
2. The facts in brief as pleaded are that the petitioner was allotted licence of fair price shop in village Withwan, Tehsil Batala, District Gurdaspur in 2011 and it was renewed from time to time.
3. The petitioner is aggrieved of grant of licence to respondent No. 4 on 17.8.2021. The grievance is that a list of 204 ration card holders of village Withwan, prepared for issuing licence to respondent No. 4 and it included eleven outsiders. Reliance is placed upon a voter list annexed to show that eleven outsiders of villages Mehtawal, Vopalpur and Chakwasan were included in the list of ration card holders of village Withwan.
4. The petitioner has annexed Annexure P-3 claiming to be the list of ration card holders of village Withwan. On a specific query by this court with regard to source of procurement of the list, learned counsel for the petitioner has no instructions.
5. The contention that eleven outsiders were included in the list of ration card holders lacks merit. The contention raised is based upon

voters list. The fact that a person is having a vote in some other village will in itself not prove that he is not holding ration card at village Withwan. Moreover, the part of voter list attached gives no details of period when it was prepared. There is no pleading challenging the fact that eleven persons are holding ration cards. The writ petition is filed for conducting a roving enquiry. There is another angle that the issue raised in the present petition is of disputed question of fact.

- 6. No interference is called for in the writ jurisdiction.
- 7. The writ petition is dismissed.
- 8. Before concluding, it would be relevant to mention that as per the petition, age of the petitioner is twenty seven years and it is claimed that he was allotted licence for fair price shop in 2011. It sounds strange that at the age of sixteen, the petitioner was allotted licence. It would not be out of place to mention here that the petitioner has not annexed the licence issued in 2011. A senior officer of the Food and Supplies Department may enquire into the matter and take appropriate necessary action if warranted.

[AVNEESH JHINGAN]
JUDGE

23rd February, 2023
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Whether speaking/ reasoned	:	Yes / No
Whether reportable	:	Yes / No