

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

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**CWP-12577-2023
Date of Decision: 01.06.2023**

BALWINDER RANA

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Aayush Gupta, Advocate for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been instituted under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of Certiorari for setting aside the order dated 15.03.2023 (Annexure P-11) passed by respondent No.3 whereby the Ration Depot Licence No.1044 allotted to the petitioner has been cancelled.

Learned counsel for the petitioner contends that the petitioner had applied for Ration Depot, whereupon he was allotted the licence under the Public Distribution System (Licensing and Control) Order, 2009. Thereafter, the petitioner started a Ration Depot at village Rahra, Tehsil Asandh, District Karnal. Pursuant thereto, a complaint was made by one Rajbir Singh, Ex-Panch of Village Rahra qua issuance of two licenses of Ration Depot in favour of two real brothers namely Vikas Rana and Goldi Rana alleging that there are criminal cases against above said two brothers and as such, licences could not have been issued in their favour. Thereupon, the matter was inquired into by respondent No.3 by constituting a Committee. The proceedings, however, finally culminated into cancellation of the licence of the petitioner vide impugned order dated 15.03.2023 (Annexure P-11). It is submitted that the impugned order dated 15.03.2023 has been passed in a mechanical manner and without appreciating the true aspects.

The licence of the petitioner has been cancelled merely on the ground of technicalities and no cogent and substantive reason has been assigned in the impugned order behind cancellation of licence of the petitioner. The said impugned order is thus non-speaking, nonest, unsustainable in the eyes of law and as such the same is liable to be set aside.

Notice of motion.

Mr. Vivek Saini, Addl. A.G., Haryana accepts notice on behalf of the respondents and submits at the very outset that they are ready to look into the grievance of the petitioner in case he files a fresh representation with full details before the competent Authority.

Learned counsel for the petitioner also has no objection to the same.

Accordingly, in view of the above, with the consent of the parties and without commenting anything on the merits of the case, the present petition is disposed of with a direction to the petitioner to file a fresh representation before the Competent Authority within a period of two weeks from the date of receipt of certified copy of this Court, whereupon the respondents/Competent Authority shall look into the matter afresh and shall decide the representation filed by the petitioner within a period of four months from the date of filing of such representation by the petitioner.

Petition stands disposed of accordingly.

01.06.2023
rajender

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No