

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

**CWP No. 20387 of 2022 (O&M)
DECIDED ON: 1st March, 2023**

Muniram

.....PETITIONER

VERSUS

State of Haryana and others

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Ms. Shaveta Sanghi, Advocate for petitioner.

Mr. Sharad Aggarwal, Assistant Advocate General, Haryana.

AVNEESH JHINGAN, J (ORAL)

1. This petition is filed for setting aside orders dated 15.11.2021 and 14.7.2022 cancelling the licence of fair price shop and dismissing the appeal respectively.

2. The brief facts are that the petitioner was granted licence for Fair Price Shop. On the basis of complaints received, an enquiry was held and thereafter a show cause notice was issued to petitioner. The petitioner filed reply to the show cause notice. Notices were served on the petitioner for personal hearing and on his failure to appear, the licence was cancelled vide dated 15.11.2021. The appeal filed by petitioner was dismissed on 14.7.2022.

3. Learned counsel for the petitioner submits that the petitioner had filed a reply to the show cause notice but without advertng to the reply, the impugned order for cancellation of licence was passed.

4. Learned State counsel defends the impugned orders and submits that on the basis of enquiry report, the licence was cancelled. It is further argued that opportunity of personal hearing was not availed by petitioner.

5. It is not disputed that the petitioner had filed reply to the show cause notice. The reply was brushed aside by simply stating that the reply is unsatisfactory. The impugned order of cancellation of licence is bereft of reasons.

Consequently, the impugned orders are set aside and matter is remanded back to respondent No.3-DFSC for deciding the issue afresh after providing opportunity of hearing to the petitioner.

6. Let the petitioner appear in the office of respondent No.3-DFSC on 28.3.2013 at 11:00 AM. The petition is allowed.

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

1st March, 2023
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(AVNEESH JHINGAN)
JUDGE

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