

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

DECIDED ON:18th January, 2023

(1) CWP No. 22190 of 2019 (O&M)

Harcharan Singh

.....PETITIONER

VERSUS

State of Punjab and others

.....RESPONDENTS

(2) CWP No. 20908 of 2021 (O&M)

Gurjit Singh

.....PETITIONER

VERSUS

State of Punjab and others

.....RESPONDENTS

(3) CWP No. 25785 of 2021 (O&M)

Balour Singh

.....PETITIONER

VERSUS

The State of Punjab and others

.....RESPONDENTS

(4) CWP No. 10614 of 2022 (O&M)

Sushil Singla

.....PETITIONER

VERSUS

State of Punjab and others

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Vishal Mehta, Advocate,
Mr. V.K. Jindal, Advocate,
Mr. Shiv Kumar, Advocate,
Mr. Abhijeet P.S. Chaudhary, Advocate for petitioners.

Mr. Rajesh Mehta, Additional Advocate General, Punjab
assisted by Mr. Gurmit Singh, LA Patiala,
Mr. Gurdeep Singh, LA Ludhiana,
Ms. Mamta Garg, Inspector Grade-1,
Mr. Pardeep Khanna, AFSO, District Taran Taran,
Mr. Navneet Kaur, DFSO, Gurdaspur,
Mr. Rajan Gupta, AFSO Ahmedgarh, District

Malerkotla, Sangrur,
Mr. Kashmir Singh, DFSO Shri Muktsar Sahib, 11754 of 2022
Mr. Gurbhog Singh Inspector
Mr. Kawaljeet Singh Sidhu, Inspector
Mr. Dharam Chand, Inspector Food Supply Fazilka,
Mr. Karam Chand, Inspector Food Supply Fazilka.

AVNEESH JHINGAN, J (ORAL)

These petition are filed for quashing of orders cancelling the licences of Depot holders and orders dismissing the appeals against the impugned orders.

For the sake of convenience, the facts are being taken from CWP No.22190 of 2019.

The brief facts are that the petitioner-Harcharan Singh was allotted Depot. A complaint was received against petitioner. In enquiry conducted it was found that wheat was embezzled by forging the signatures of the beneficiaries and procedure for distributing food grains was not followed, vide order dated 7.5.2018, 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/suspending the licences have 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 petitions are 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.

18th January, 2023

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(AVNEESH JHINGAN)
JUDGE

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