

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

DECIDED ON:18th January, 2023

- (1)

CWP No. 266 of 2023 (O&M)

Nirmaljit Kaur

VERSUS

State of Punjab and others

.....PETITIONER

.....RESPONDENTS
- (2)

CWP No. 2611 of 2021 (O&M)

Pardeep Singh

VERSUS

State of Punjab and others

.....PETITIONER

.....RESPONDENTS
- (3)

CWP No. 13739 of 2021 (O&M)

Hari Singh

VERSUS

State of Punjab and others

.....PETITIONER

.....RESPONDENTS
- (4)

CWP No. 15415 of 2021 (O&M)

Jaimal Singh

VERSUS

State of Punjab and others

.....PETITIONER

.....RESPONDENTS
- (5)

CWP No. 13744 of 2021 (O&M)

Nardev Kumar

VERSUS

State of Punjab and others

.....PETITIONER

.....RESPONDENTS
- (6)

CWP No. 11922 of 2021 (O&M)

Roshan Lal

VERSUS

State of Punjab and others

.....PETITIONER

.....RESPONDENTS

(7) CWP No. 15346 of 2021 (O&M)

Bhushan Kumar

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(8) CWP No. 16301 of 2021 (O&M)

Rakesh Kumar

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(9) CWP No. 16327 of 2021 (O&M)

Gora Ram

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(10) CWP No. 16551 of 2021 (O&M)

Mahinder Pal

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(11) CWP No. 20637 of 2021 (O&M)

Major Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(12) CWP No. 23649 of 2021 (O&M)

Simarjeet Kaur

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(13) CWP No. 7802 of 2022 (O&M)

Inderjeet Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(14) CWP No. 8214 of 2022 (O&M)

Satinderpal Singh
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(15) CWP No. 24797 of 2021 (O&M)

Satish Kumar
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(16) CWP No. 26401 of 2021 (O&M)

Ranjodh Singh
VERSUS
.....PETITIONER

The State of Punjab and others
.....RESPONDENTS

(17) CWP No. 801 of 2022 (O&M)

Brij Mohan Joshi
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(18) CWP No. 10035 of 2022 (O&M)

Avtar Singh
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(19) CWP No. 14037 of 2022 (O&M)

Satnam Singh
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(20) CWP No. 11791 of 2022 (O&M)

Tasveer Singh
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(21) CWP No. 12012 of 2022 (O&M)

Harminder Singh
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(22) CWP No. 14995 of 2022 (O&M)

Rachhpal Singh
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(23) CWP No. 15585 of 2022 (O&M)

Avtar Singh
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(24) CWP No. 16238 of 2022 (O&M)

Dalbir Singh
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(25) CWP No. 16591 of 2022 (O&M)

Harbhajan Singh
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(26) CM-810-CWP-2023 in/and
CWP No. 17726 of 2022 (O&M)

Jagmeet Singh
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(27) CWP No. 18283 of 2022 (O&M)

Nirmal Singh
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(28) CWP No. 18285 of 2022 (O&M)

Gurpal Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(29) CWP No. 18294 of 2022 (O&M)

Bhagwant Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(30) CWP No. 16312 of 2022 (O&M)

Sarwan Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(31) CWP No. 23566 of 2022 (O&M)

Pargat Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(32) CWP No. 21584 of 2022 (O&M)

Santokh Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(33) CWP No. 20154 of 2022 (O&M)

Lakhwinder Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(34) CWP No. 14042 of 2022 (O&M)

Gurnam Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(35) CWP No. 26579 of 2022 (O&M)

Ramesh Kumar

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(36) CWP No. 23275 of 2022 (O&M)

Dilbag Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(37) CWP No. 27097 of 2022 (O&M)

Raman Kumar

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(38) CWP No. 27238 of 2022 (O&M)

Suresh Kumar

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(39) CWP No. 28435 of 2022 (O&M)

Harbhajan Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(40) CWP No. 28714 of 2022 (O&M)

Santokh Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(41) CWP No. 29524 of 2022 (O&M)

Sawinder Pal

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(42) CWP No. 29581 of 2022 (O&M)

Gurwinder Singh
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(43) CWP No. 29542 of 2022 (O&M)

Amritpal Singh
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(44) CWP No. 23277 of 2022 (O&M)

Narinder Kumar
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(45) CWP No. 29671 of 2022 (O&M)

Kashmir Singh
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(46) CWP No. 28769 of 2022 (O&M)

Prem Chand
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(47) CWP No. 27246 of 2022 (O&M)

Sikander Singh
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(48) CWP No. 26023 of 2022 (O&M)

Amar Singh
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(49) CWP No. 23278 of 2022 (O&M)

Gurpal Singh
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(50) CWP No. 24173 of 2022 (O&M)

Asha Rani
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(51) CWP No. 79 of 2023 (O&M)

Tarsem Lal
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(52) CWP No. 857 of 2023 (O&M)

Prem Kumar
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(53) CWP No. 8482 of 2022 (O&M)

Balbir Kaur
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(54) CWP No. 11281 of 2022 (O&M)

Prabhdeep Kaur
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(55) CWP No. 11754 of 2022 (O&M)

Lovepreet Singh
VERSUS
.....PETITIONER

State of Punjab and others
.....RESPONDENTS

(56) CWP No. 17023 of 2022 (O&M)

Gobinder Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(57) CWP No. 21883 of 2022 (O&M)

Nirwail Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(58) CWP No. 21800 of 2022 (O&M)

Ranjit Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(59) CWP No. 22429 of 2022 (O&M)

Surjeet Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(60) CWP No. 23519 of 2022 (O&M)

Balwinder Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(61) CWP No. 23898 of 2022 (O&M)

Surinder Kaur

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(62) CWP No. 24709 of 2022 (O&M)

Vishal Malhotra

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(63) CWP No. 24813 of 2022 (O&M)

Lachman Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(64) CWP No. 18704 of 2022 (O&M)

Resham Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(65) CWP No. 18766 of 2022 (O&M)

Harpal Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(66) CWP No. 23697 of 2022 (O&M)

Suresh Kumar

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(67) CWP No. 28536 of 2022 (O&M)

Rajinder Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(68) CWP No. 18037 of 2022 (O&M)

Hukam Chand

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(69) CWP No. 20173 of 2022 (O&M)

Gursewak Singh

VERSUS

.....PETITIONER

State of Punjab and others

.....RESPONDENTS

(70) CWP No. 21769 of 2022 (O&M)

Karam Singh
.....PETITIONER
VERSUS

State of Punjab and others
.....RESPONDENTS

(71) CWP No. 23392 of 2022 (O&M)

Charanjeet Kaur
.....PETITIONER
VERSUS

State of Punjab and others
.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Sukhandeep Singh, Advocate in CWP Nos.266-2023, 13739-2021, 801-2022, 14995-2022, 16238-2022, 16591-2022, 18283-2022, 18285-2022, 16312-2022, 21883-2022, Mr. Vikram Preet Arora, Advocate and Mr. Maninder Arora, Advocate-CWP-2611-2021
Mr. V.K. Jindal, Advocate,
Mr. H.S. Baath, Advocate,
Mr. Jimmy Singla, Advocate,
Mr. Shiv Kumar, Advocate-CWP-26401 of 2021, 25785 of 2021
Mr. Sanjeev Kumar Arora, Advocate,
Mr. R.K. Arya, Advocate,
Mr. Amit Arora, Advocate,
Mr. Tahaf Bains, Advocate-CWP-20154-2022
Mr. Amandeep Chhabra, Advocate,
Mr. Aminder Singh, Advocate,
Mr. A.S. Khaira, Advocate,
Mr. Ramandeep Kaur, Advocate,
Mr. Rishab Goyal, Advocate for
Mr. Angel Walia, Advocate-CWP-24709-2022
Mr. Veeraj Sharma, Advocate for Mr. Siddharth Gupta, Advocate
Mr. Amit Arora, Advocate-CWP-21584, 17938 of 2022
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.

Mr. Anil Rana, Advocate for Mr. Puneet Gupta, Advocate for applicants-respondents in CWP-14042 of 2022.

Mr. J.K. Singla, Advocate for respondent No. 5 to 7 in CWP-11922-2021.

Mr. P.K.S. Phoolka, Advocate for complainant-CWP-20173-2022.

Mr. Naresh Gopal Sharma, Advocate for respondent No.5-CWP-21584 of 2022.

Mr. Aashish, Advocate for applicant in CM-810-CWP-2023 in CWP-17726 of 2022.

AVNEESH JHINGAN, J (ORAL)

The challenge in these writ petitions filed in the nature of Certiorari is to the orders passed by District Controller Food, Civil Supplies and Consumer Affairs, Amritsar, (for short 'DFSC') suspending the supply of Ration to the Depot of the petitioners, cancelling the licences of the Depot, cancelling the supply to the Depot and show cause notices issued for cancellation of Depot.

For the sake of convenience, the facts are being taken from CWP No. 266 of 2023.

The brief facts are that the petitioner-Smt. Nirmaljeet Kaur was allotted Depot. Jagdev Singh and others made complaint against Depot holder. In the enquiry conducted it was found that depot holder was supplying less than the stipulated quantity of wheat and behaving badly with consumers. The licence of Depot Holder was suspended. Aggrieved of that the present petition has been filed.

Learned State counsel submits that the orders are challenged on

the ground that 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 and show cause notices have been revoked and liberty is sought to pass a fresh order/issue show cause notices if need so arises.

In view of statement made by learned State counsel, 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 disposed of, pending application, if any is rendered infructuous.

Photocopy of this order be placed on the files of other connected cases.

18th January, 2023

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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No