

2024:PHHC:100118



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

242

CWP-6183-2022
Date of Decision: 05.08.2024

SUNIL KUMAR

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. Gaurav Tyagi, Advocate
for the petitioner.

Mr. Suneel Ranga, DAG, Haryana
for respondents No.1 to 3.

Respondent No.4 already *ex-parte*
vide order dated 26.02.2024.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present petition is for directing respondent No.2 to initiate appropriate legal action and departments proceedings against respondents No.3 and 4 for misappropriation of the ration meant for distribution in village Khalila Prahladpur, Panipat.

A status report by way of an affidavit of Ms. Neetu, District Food Civil Supplies and Consumer Affair Controller, Panipat has been filed on behalf of respondents No.1 to 3 today in Court. Copy thereof has been furnished to learned counsel for the petitioner.

It has been specifically set out in the abovesaid status report that the representation submitted by the petitioner on 17.01.2022 has been



considered. A brief inquiry was carried out by the respondents to ascertain the allegations levelled therein and that on the basis of the report so received, the District Food Civil Supplies and Consumer Affair Controller, Panipat has taken an action cancelling the Ration Depot Licence of respondent No.4 vide order bearing Endorsement No.ID-2022/6166 Dated 23.12.2022. The relevant extract of the said order is reproduced hereinafter below:

"2. That the grievances of the petitioner in representation Dt.17/01/2022 (Annexure P-8) were to take departmental as well as legal action against Subhash Chander the then DSFC Panipat and to cancel the Depot Holder licence of the respondent No.2 and further to take legal action against Ashok Kumar R/o Village Jhattipur.

3 That as detailed in the above reply Dt.10/01/2023, a brief inquiry was carried out by the office of respondent No.3 and ascertained that Subhash Chander the then DSFC Panipat had worked in official capacity and he had restored the supply of Ration of the depot holder/respondent No.4 with the punishment of forfeiture of security as per the provisions of PDS Controller Order 2009 and also warned to the respondent No.4 not to repeat the irregularities in future. No violation of any provision was found on the part of Subhash Chander the then DSFC Panipat.

The allegations levelled in the representation Dt. 17/01/2022 (Annexure P- 8) against Ashok Kumar R/o Village Jhattipur were also not found truthful as no concern of said Ashok Kumar R/o Village Jhattipur was found in the Ration Depot run by the respondent No.4. Said Ashok Kumar has no Depot Licence rather he is only a Contractor to supply the essential commodities



to various Depot holders in District Panipat in compliance of instructions of the Food and Supply Department.

4. That the inquiry on representation Dt.17/01/2022 (Annexure P-8) was concluded by respondent No.3 by taking an action to cancel the Ration Depot Licence of the respondent No.4 vide order Endst. No ID-2022/6166 Dt.23-12-2022. The said representation Dt. 17/01/2022 (Annexure P-8) does not require any further action and was disposed of accordingly. The order is annexed with the Status Report as Annexure R-1 for the kind perusal of this Hon'ble Court.

It is evident from a perusal of the above that the prayer made by the petitioner in the present petition has already been answered and that nothing further subsists therein.

Learned counsel for the petitioner is not in a position to controvert the same.

The present petition is accordingly disposed of as having been rendered infructuous.

AUGUST 05, 2024
rajender

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No