

2024:PHHC:132610-DB



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

(105)

CWP-25810-2024

Decided on : 04.10.2024

Surjeet Singh

.....Petitioner(s)

Versus

State of Punjab & others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MS.JUSTICE HARPREET KAUR JEEWAN**

Present: Mr.Vijay K.Jindal, Advocate for the petitioner (s).

Mr.Shekhar Verma, Addl.A.G., Punjab.

G.S. Sandhawalia, J. (Oral)

1. Challenge in the present writ petition, filed under Article 226/227 of the Constitution of India, apart from the notification dated 05.01.2023 (Annexure P-12), is to the order dated 28.08.2024 (Annexure P-7) passed by the District Controller, Food, Civil Supplies & Consumer Affairs, Fazilka, Punjab, whereby the licence of the petitioner has been suspended though the suspension order was passed earlier also on 01.04.2024 (Annexure P-2).

2. A perusal of the order dated 28.08.2024 would go on to show that there is also forfeiture of the security. An enquiry was made and the petitioner was also called in the office and asked regarding the allegations leveled against him. The nature of the order passed would show that it is rather directing for suspending the supply of essential commodities and to forfeit the security, which practically comes to cancellation of the licence.

3. As per clause 17 of the Punjab Targeted Public Distribution System (Licensing & Control) Order, 2016, an appeal would lie before the Director, Food, Civil Supplies & Consumer Affairs Department, Chandigarh, within 30 days of the receipt of the order. Accordingly, keeping in view the fact that there is an alternate and efficacious remedy available to the petitioner, we are of the considered opinion that a writ petition would not lie, at the first instance.

4. Faced with this situation, counsel for the petitioner submits that he will not press the present writ petition and seeks liberty to file an appeal before the said forum, within one week from today.

5. Accordingly, keeping in view the fair stand taken by counsel for the petitioner, we dispose of the present writ petition, with the direction that if the appeal is filed within a period of one week from today, the Appellate Authority shall hear the same on merits.

(G.S. SANDHAWALIA)
JUDGE

04.10.2024
Sailesh

(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No