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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 4298/2024, CM APPL. 17620/2024**

SHARDA DEVI

.....Petitioner

Through: **Mr. Jai Wadhwa, Advocate**

versus

GOVT. OF NCT OF DELHI AND ORS

.....Respondents

Through: **Mr. Avishkar Singhvi, ASC for
GNCTD with Mr. Vivek Kr. Singh,
Mr. Naved Ahmed, Mr. Shubham
Kumar, Advocates.**

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

09.09.2024

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1. The Petitioner has invoked the jurisdiction of this Court under Article 226 of the Constitution of India, 1950, requesting the issuance of ration card, pursuant to her applications bearing NSF ID Nos. 214041 and 2913737.
2. Petitioner had applied for a ration card with NFS ID 214041 on 29th October, 2013¹. The said application was rejected in 2015 on account of mismatch of the Petitioner's Aadhaar Card details. The Petitioner contends that the said error was on account of the Respondents entering the wrong details. The said contention is refuted by Mr. Avishkar Singhvi, ASC for the Government of NCT of Delhi/ Respondent No. 1, who argues that the error was on account of the Petitioner's fault.
3. Petitioner re-applied for ration card on 30th December, 2021 with NFS

¹ First Application



ID 2913737². Thereafter, she lodged several complaints requesting issuance of her ration card, however, she was informed by the Food & Supply Officer *vide* communication dated 25th October, 2023 that her request under the First Application could not be approved as there was no facility available for the rectification of Aadhaar Card on FSO ID. It was also communicated to her that proper action would be taken on the Second Application as per the First In, First Out (FIFO) Policy.

4. The Petitioner submits that the said request for issuance of ration card is still pending, and seeks a direction to the Respondents to issue a new ration card on her Second Application.

5. Mr. Singhvi explains that under the FIFO Policy, the applications are processed as per the FIFO Rank. He states that the Petitioner's current FIFO rank with respect to the Second Application is Rank 14067, and thus, allowing her request would lead to giving her an out-of-turn allocation.

6. On the other hand, Mr. Jai Wadhwa, counsel for Petitioner, emphasises that the Petitioner's family consists of 7 members, and that her husband is an Auto Driver, and her daughter is suffering from intellectual disability. Thus, the Petitioner is in urgent need of the ration card to alleviate the hardships being faced by her family.

7. Considering the financial condition of the Petitioner and her family, the Court is inclined to allow her plea for issuing directions to the Respondents for issuance of ration card. Further, it is noted that Petitioner's First Application holding FIFO Rank 1 was rejected on account of an error in her Aadhar Card details, which is a *bona fide* error on her part. Accordingly, the Respondent Authorities are directed to issue ration card to the Petitioner in furtherance of her First Application, after making the necessary corrections, within a period of four weeks from today.

² Second Application



8. With the above directions, the present petition is allowed and disposed of along with pending application.

SANJEEV NARULA, J

SEPTEMBER 9, 2024/ab