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

+ **W.P.(C) 5272/2024**

PRIYANKA KUMARI

..... Petitioner

Through: Mr. Pulkit Prakash, Mr. Saimon Farooqui, Mr. Arjun Mohan and Mr. Chirantan Krishna, Advocates.

versus

DEPARTMENT OF FOOD SUPPLIES AND CONSUMER AFFAIRS, G.N.C.T.D.

..... Respondent

Through: Mr. Avishkar Singhvi, ASC with Mr. Shubham Kumar, Mr. Vivek Kumar Singh and Mr. Naved Ahmed, Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

30.04.2024

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1. The Petitioner has approached this Court with the following prayers:

"i. Pass an order directing the Respondent to promptly and effectively disburse the ration entitlements for the Petitioner and her family members, including her husband and two children and to ensure that the ration distribution process is conducted without any further delay or hindrance, and that the Petitioner and her family receive their entitled provisions without discrimination or deprivation along with updation of their name in the said ration card.

ii. Pass any such other or further order(s) as the Hon'ble Court may deem fit and proper under the facts and circumstances of the present case, in favour of the



Petitioner and against the Respondents, in the interest of justice, good conscience and equity. It is prayed accordingly.”

2. Ration cards are disbursed depending upon the date of application. It is not the case of the Petitioner that persons who have applied for ration cards after the Petitioner have got their ration cards while the Petitioner has not been issued a ration card.

3. A Coordinate Bench of this Court in **W.P.(C) 2710/2022**, titled as Santoshi Devi & Ors. v. Govt. of Union of India and Ors., while dealing with a writ petition claiming the same relief, this Court had called for a counter affidavit. Paragraph 6 of the said counter affidavit reads as under:-

“6. That I say that in the NCT of Delhi, all activities related to new ration cards including their issuance and adding beneficiary’s names, are done through online process. It is further submitted that for issuing new ration cards and for addition of members in existing ration cards, the office of the answering Respondent follows the "First In, First out" (FIFO) policy, by preparing a consolidated waiting list of beneficiaries and as per the availability of vacancy under the overall quota of 72.78 lacs, the new beneficiaries are added on roil as provided in compliance of NFS Act 2013. It is further submitted that by adopting the FIFO policy, human intervention on approval of application for any of the services offered the Food and Security Department can be avoided which helps in providing a fair and transparent disposal of applications.”

4. After perusing paragraph 6 of the counter affidavit, the said writ petition was disposed of by this Court holding as under:-

“4. The Additional Standing Counsel for the



respondents no. 2 to 4 stated that as per the documents submitted by the petitioner, the petitioners no. 1, 2 and 4 to 9 are found eligible for issuance of ration card and their ration card would be issued to them on the basis of First In, First Out (FIFO) Policy. The petitioners no. 1, 2, and 4 to 9 are still in the waiting list for issuance of ration card. It is further stated that as and when the petitioners no. 1, 2 and 4 to 9 were found eligible for issuance of ration card on the basis of FIFO Policy, then the ration card would be issued to them without any delay after completion of formalities as prescribed under the rules and regulations.

5. The counsel for the petitioners stated that the present petition may be disposed of with the direction to the respondents no. 2 to 4 to issue ration card as and when the petitioners no. 1, 2 and 4 to 9 are found eligible as per the FIFO Policy without any delay. It is further stated that the petitioners no. 3, 10 and 11 be also given further opportunity to submit their documents so that their case may be re-considered for issuance of ration card.

6. The present petition along with pending applications, if any, is accordingly disposed of with the direction to issue ration card to the eligible petitioners i.e. petitioners no. 1, 2 and 4 to 9 without any delay as and when they are found eligible for issuance of ration card as per the FIFO Policy and the petitioners no. 3, 10 and 11 are also given another opportunity to submit their necessary documents with the respondents no. 2 to 4 for consideration for issuance of ration card. The respondents no. 2 to 4 are directed to re-consider the issue of issuance of ration card to the petitioners no. 3, 10 and 11 within 04 weeks after the submission of documents.”

5. This writ petition is being disposed of in terms of the order passed by



this Court in W.P.(C) 2710/2022. The Respondents are directed to issue the ration cards to the eligible applicants as and when they are found eligible for issuance of ration cards as per the First In, First Out (FIFO) Policy.

6. The Writ Petition is disposed of along with the pending application(s), if any.

SUBRAMONIUM PRASAD, J

APRIL 30, 2024

Rahul