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

+ **CONT.CAS(C) 773/2024 & CM APPL.28171/2024**

POOJA FPS THROUGH POOJA CHAUHAN Petitioner

Through: Mr. Deepak Chauhan with Mr. Kamal Chauhan, Advocates with petitioner in person.

versus

COMMISSIONER FOOD AND SUPPLY & ORS..... Respondents

Through: Mr. Parth Goyal, proxy counsel for Mr. Jawahar Raja, Additional Standing Counsel (Civil) for GNTCD, (M): 8003592980
Email: office.jawaharraja@gmail.com

**CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA**

ORDER

% **13.05.2024**

CM APPL. 28171/2024 (for exemption)

1. Exemption allowed, subject to just exceptions.
2. Application is disposed of.

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3. The present petition has been filed alleging willful disobedience of the order dated 09th August, 2023 passed in W.P. (C) No. 5905/2021, wherein the following directions had been issued:-

“xxx xxx xxx

4. *Let an appeal be filed within a period of 15 days from today. On the receipt of the appeal, the Respondent is directed to dispose of the same within eight weeks from the date of receipt of the appeal.*



5. *It is made clear that this Court has not made any observations on the merits of the case. The Appellate Authority is directed to consider the appeal uninfluenced by the fact that the writ petition is being disposed of.*

6. *It is always open to the Petitioner to take appropriate remedies in accordance with law as far as his other grievances are concerned.*

xxx xxx xxx”

4. Learned counsel appearing for the petitioner submits that pursuant to the aforesaid order, an appeal on behalf of the petitioner was filed on 16th August, 2023 itself. However, the said appeal is still pending.

5. Issue notice.

6. Notice is accepted by learned counsel appearing for the respondents. He submits that the appeal is pending before the Special Commissioner, Food and Supplies Department and the next date of hearing in the appeal is 20th June, 2024.

7. Learned counsel for the respondents further submits that due to the election duty, the Appellate Authority has not been able to complete the hearing of the said appeal.

8. Considering the submissions made before this Court and considering the directions passed by this Court vide order dated 09th August, 2023, it is manifest that the Appellate Authority was required to dispose of the appeal of the petitioner within eight weeks from the order dated 09th August, 2023. However, considering the submissions made before this Court, it is directed that the respondents shall complete the hearing and pass appropriate orders in the pending appeal of the petitioner positively by 31st August, 2024.

9. Accordingly, no further orders are required to be passed in the present petition.



10. However, the petitioner is granted liberty to revive the present petition, in case the present order is not complied with by the respondents.

11. With the aforesaid directions, the present petition is disposed of.

MINI PUSHKARNA, J

MAY 13, 2024

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