CGHC010375332022 2026:CGHC:45070

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5028 of 2022

Mahila Self-Help Group Chaul Through its President Smt Phul Bai, Aged About 39 Years, W/o Shrichand, Post and Block Bharatpur, District : Manendragarh-Chirmiri-Bharatpur, Chhattisgarh

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through - The Secretary, Department Of Food and Civil Supplies, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur, District : Raipur, Chhattisgarh

2 - The Collector Manendragarh Chirmiri Bharatpur Through (Food Branch), District : Manendragarh-Chirmiri-Bharatpur, Chhattisgarh

3 - The Sub-Divisional Officer Bharatpur, District : Manendragarh-Chirmiri-Bharatpur, Chhattisgarh

4 - The Food Inspector Bharatpur, District : Manendragarh-Chirmiri-Bharatpur, Chhattisgarh

SHYNA AJAY Digitally signed by SHYNA AJAY Date: 2026.10.27 11:16:54 +0530

5 - Shivbaba Self-Help Group Sadantola Post and Block Bhartpur, District : Manendragarh-Chirmiri-Bharatpur, Chhattisgarh

... Respondent(s)

(Cause Title downloaded from CIS Periphery)

For Petitioner(s)	:	Mr. Shivam Mishra, Advocate
For Respondent(s)	:	Mr. Shobhit Mishra, Dy. GA

SB: Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

26/10/2026

1. By way of this petition, the petitioner seeks the following reliefs :

> *10.1. That, the Hon'ble Court may kindly be pleased to call for the records pertaining to impugned order dated 03.11.2022 ANNEXURE P/5 from the respondents for the kind perusal of the Hon' ble Court.*
> *10.2. That, the Hon'ble Court may kindly be pleased to quash / set aside the impugned order 03/11/2022 (Annexure P/5) issued by the respondent No. 3*
> *10.3. Any other relief which the Hon'ble Court may deem fit, in the interest of justice.*

2. Brief facts of the case are that the petitioner- President of Mahila Self-Help Group, Chul, Block Bharatpur, District Manendragarh Chirmiri Bharatpur (CG) (authorized vide Resolution dated 04.11.2022), was allotted Fair Price Shop No. 532005051 vide order dated 31.03.2022 (Annexure P/3). After an inspection on 05.10.2022 by the Food Inspector, Baharatpur, a show cause notice dated 28.10.2022 was issued, which was duly replied by

the petitioner. However, Respondent No. 3, without considering the reply or giving any reasons, passed the impugned order dated 03.11.2022 (Annexure P/5) suspending the Fair Price Shop. Hence, this Petition.

3. Learned counsel for the petitioner submits that the impugned order dated 03/11/2022 suspending Fair Price Shop No. 532005051 is arbitrary, unconstitutional and passed in violation of principles of natural justice without considering the reply or conducting a full inquiry. The action is politically motivated to oust the Women Self-Help Group.

4. Per contra, learned counsel for the State submits that the impugned order is only an administrative order of suspension issued under the provisions of the Chhattisgarh Public Distribution System (Control) Order, 2016 (in short “the Control Order, 2016”). He submits that an effective statutory mechanism and procedure exist under the Control Order, 2016 before the Sub-Divisional Officer (Revenue)-cum-Prescribed Authority. Therefore, the petitioner ought to be relegated to approach the competent authority.

5. Heard learned counsel for the parties and also perused the documents annexed with the petition carefully.

6. Considering the facts and circumstances of the case, particularly considering that the petitioner has challenged the order of suspension of Fair Price Shop dated 03.11.2022 (Annexure P/5), for which a detailed procedure is prescribed under the Control

Order, 2016 before the concerned Sub-Divisional Officer (Revenue)-cum-Prescribed Authority, this Court deems it appropriate to relegate the petitioner to approach the concerned authority within a period of 30 days from the date of receipt of a copy of this order. In turn, the concerned Sub-Divisional Officer (Revenue)-cum-Prescribed Authority is directed to consider and decide the matter on its merits in accordance with law and the provisions of the Control Order, 2016, within a further period of 30 days, after affording a due opportunity of hearing to the petitioner.

7. Till the proceedings are finally decided by the concerned authority, the interim protection granted by this Court vide order dated 23.11.2022 shall remain in operation.

8. With the aforesaid observations/directions, the Writ Petition is finally disposed of.

Sd/-

(Amitendra Kishore Prasad)
Judge

Shyna Ajay