CGHC010389632026 2026:CGHC:43391

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5106 of 2026

Aadim Jati Sewa Sahkari Samiti Navgai Through Its Distributor/ Shopkeeper/ Salesman Shri Shubham Kumar Gupta S/o Hajari Lal Gupta, Aged About 25 Years, R/o Ward No. 3 Mishragali, Gram Panchayat And Tehsil - Biharpur, Janpad Panchayat - Odgi District Surajpur Chhattisgarh

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Secretary, Department Of Food Civil Supply Corporation, Mahanadi Bhawan, Capital Complex, Naya Raipur, Atal Nagar, Distt. Raipur Chhattisgarh

2 - The District Director Food And Civil Supplies Corporation, Surajpur, District Surajpur Chhattisgarh

3 - The Collector Surajpur, District Surajpur Chhattisgarh

4 - The Food Inspector Odgi Tahsil - Bhaiyathan, District Surajpur Chhattisgarh

5 - The Sub Divisional Officer (Revenue) Bhaiyathan, District Surajpur Chhattisgarh

6 - Jay Bhawani Mahila Sva Sahayta Samooh Kuberpur Gram Panchayt Kuberpur, Tahsil - Biharpur, Janpad Panchayat Odgi, District Surajpur Chhattisgarh

... Respondent(s)

For Petitioner(s)	**:**	Mr. Navneet Kumar Yadav, Advocate
For Respondent(s)	**:**	Mr. Shobhit Mishra, Dy. G.A.

Hon’ble Shri Justice Amitendra Kishore Prasad

Order on Board

07/10/2026

1. Learned counsel for the petitioner prays for the following reliefs:

> *10.1 That, this Hon’ble Court may kindly be pleased to set-aside/ quash the impugned order dated 18.09.2026 (Annexure P/1) passed by the respondent no. 5.*
>
> *10.2 The Hon’ble Court may kindly be pleased to call for the entire records of the case for the perusal of this Hon’ble Court.*
>
> *10.3 Any other relief deemed fit in with the facts and circumstances of the case may also be granted.*

2. Learned counsel for the petitioner submits that the order dated 18.09.2026 passed by respondent No. 5 is illegal, erroneous and contrary to law and, therefore, liable to be set aside. He further submits that the petitioner is the distributor/shopkeeper/salesman of Adim Jati Sewa Sahkari Samiti, Village Biharpur, which has been allotted a fair price shop. It is further submitted that the impugned order has been passed in violation of the principles of natural justice, without affording any opportunity of hearing to the petitioner, as contemplated under Para 3 of Order 16 of the Chhattisgarh Public Distribution System (Control) Order, 2016.
3. Learned State counsel, on the other hand, submits that the petitioner has an efficacious alternative remedy available and may

approach the concerned authority by filing an appropriate application.

4. Heard learned counsel for the respective parties and perused the documents available on record.

5. Having regard to the submissions advanced by learned counsel for the parties, without expressing any opinion on the merits of the case, the present petition is disposed of with liberty to the petitioner to file an appropriate application/representation before the competent authority challenging the impugned order dated 18.09.2026. In the event the petitioner files such application/representation before the competent authority within a period of **15 days** from today, the authority concerned shall consider and decide the same, after affording due opportunity of hearing to all concerned, by passing a reasoned and speaking order, strictly in accordance with law, preferably within a period of **30 days** from the date of receipt of such application.

6. It is made clear that this Court has not expressed any opinion on the merits of the case, and the competent authority shall decide the matter independently in accordance with law.

SD/-
(Amitendra Kishore Prasad)
JUDGE

Madhurima