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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-14286-2025(O&M)

Date of Decision: 19.02.2026

WAKIL

....Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr.Yashveer Kharb, Advocate, for the petitioner.

Mr. Udit Garg, Additional Advocate General, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing the impugned order dated 02.03.2022 (Annexure P-3) passed by respondent No.3, whereby the licence of the petitioner to run the ration depot has been cancelled and order dated 13.12.2024 (Annexure P-6) vide which the appeal filed by the petitioner against the impugned order dated 02.03.2022 (Annexure P-3) has been dismissed.

2. Learned counsel appearing on behalf of the petitioner submitted that on 19.05.2025, he had prayed for some time to place on record documents to show the stock available with the petitioner on the date of inspection but he has not been able to place on record any such document.



3. Learned counsel submitted that the petitioner was a depot holder for the purpose of distribution of foodgrains and by way of impugned order (Annexure P-3), his licence has been cancelled on the ground that he was withholding a large stock of foodgrains which was not justified and there were complaints against the petitioner that he had stocked the aforesaid foodgrains but had not distributed the same to the lawful ration card holders. He submitted that when the petitioner filed an appeal, then the Appellate Authority vide Annexure P-6 also dismissed the appeal on the aforesaid grounds. He submitted that neither there is any description of the deficient or excess stock in the order nor is there any specific finding as to how much stock, if any, was unlawfully retained by the petitioner and not supplied to the lawful ration card holders and therefore, the impugned orders are liable to be set aside.

4. On the other hand, Mr. Udit Garg, learned Additional Advocate General, Haryana has submitted that it is clear from the order (Annexure P-3) passed by the Licensing Authority who is the District Food and Supplies Controller that initially the petitioner did not cooperate with the inquiry and did not respond to the notice as well and because of this reason physical inspection of the ration depot could not be done and he deliberately failed to appear during the inquiry and his ration supplies were suspended and thereafter, during the inquiry conducted by the Inspector, Food Supplies Department, it was found that the petitioner was in possession of 4685 kgs. of NFSA wheat, 6159.8 kgs. of PMGKAY wheat, 47 kgs. of sugar, 138 kgs. salt, 773 kgs. of millet and 151.4 litres of mustard oil, which was ultimately transferred to another depot holder so that the same can be distributed to the lawful ration card holders. He also submitted that the petitioner initially failed to submit a reply to the show-cause notice but later on the same was submitted by him and during the course of personal hearing, the petitioner

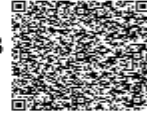


merely stated that whatever has been mentioned in his reply may be treated as his submissions during personal hearing. The Licensing Authority thereafter on the basis of the aforesaid facts and circumstances and after recording that the reply submitted by the petitioner was unsatisfactory, came to the conclusion that there was a gross violation of the PDS, Control Order 2009 and therefore, cancelled the licence of the petitioner.

5. Learned State counsel further submitted that when the petitioner filed an appeal, the learned Appellate Authority also passed a well reasoned order and observed that not only because of the aforesaid reason but also because of the reason that during investigation collective statements of 10 card holders and 56 beneficiaries were also taken on the spot and according to the said statements, the depot holder did not distribute ration in the village for many months and thumb impressions were taken from the card holders but ration was not given and therefore, the appeal was dismissed. He submitted that in view of the aforesaid factual position, the present petition is liable to be dismissed.

6. I have heard the learned counsel for the parties.

7. A perusal of the order (Annexure P-3) which is passed by the Licensing Authority would show that allegations were levelled against the petitioner with regard to non-distribution of ration to the ration card holders and the same were based on statements of 10 card holders and 56 beneficiaries who stated that the depot holder obtained their thumb impressions every month but supplied ration only once in 3-4 months and it has also been recorded in the order that despite repeated notices to appear for inspection, the petitioner failed to appear and because of this reason, physical inspection could not be done. Due to non-distribution of ration and



non-appearance of the petitioner, his ration supply was suspended vide order dated 30.12.2021 and the ration supply was attached with another depot holder. A further perusal of the impugned order passed by the Licensing Authority would show that details of the foodgrains found in the depot of the petitioner which were ultimately transferred to another depot holder for distribution to the lawful ration card holder have been mentioned. It was the case of learned State counsel that such huge quantities of foodgrains were found in the depot of the petitioner which ought to have been distributed to the lawful ration card holders which was not done by the petitioner and based upon the aforesaid figures and non-cooperation of the petitioner, his licence was cancelled.

8. When the petitioner filed an appeal, learned Appellate Authority also considered the aforesaid issue in detail and came to the conclusion that apart from the stock found in the depot, the collective statements of the beneficiaries and ration card holders clearly indicated that for several months the ration had not been distributed to the lawful ration card holders despite obtaining their thumb impressions and therefore, the appeal was dismissed.

9. It is also evident from the record that when the petitioner was issued a show cause seeking information, he did not cooperate with the concerned authorities and the authorities were compelled to make a physical inspection even in his absence. A large stock of foodgrains was found in his depot, which was ultimately transferred to another depot holder.

10. The argument raised by learned counsel for the petitioner that final details were also required to be given in the order is not sustainable in view of the fact that on the basis of the aforesaid observations being made in

both the impugned orders, satisfaction has been recorded by both the concerned authorities. The petitioner by way of the present petition seeks intervention of this Court on the basis of disputed questions of fact.

11. In view of the aforesaid facts and circumstances, this Court would not go into the disputed question of facts and even otherwise also, this Court is of the considered view that there is no illegality or perversity in the impugned orders.
12. Consequently, finding no merit in the present petition, the same is hereby dismissed.

19.02.2026

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)

JUDGE

: Yes/No
: Yes/No