



27/11/12

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HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Appeal No.66/2012

DB:HON'BLE SHRI SUNIL KUMAR SINHA &
HON'BLE SHRI RADHE SHYAM SHARMA, JJ.

APPELLANT/
Petitioner

Shri Ganesh Prathmik Sahkari
Upbhokta Bhandar Maryadit, Ram
Nagar, Supela Bhilai, District Durg
(CG) through the President Raj
Kumar Sahu S/o Ishwar Lal Sahu,
aged about 32 years, R/o Ram
Nagar, Azad Chowk, Supela Bhilai,
District Durg (CG)

Versus

RESPONDENTS

- 1 The State of Chhattisgarh, through
the Secretary, Department of Civil
Supplies, Mantralaya, DKS
Bhawan, Raipur (CG)
- 2 The Collector (Food), Durg, District
Durg (CG)
- 3 The Food Controller, Durg, District
Durg (CG)
- 4 The President, Samudayik Vikas
Samiti, Ram Nagar, Bhilai, District
Durg (CG)
- 5 The President, Samudayik Vikas
Samiti Gurughasi Das Nagar,
Bhilai, District Durg (CG)
- 6 The President, Samudayik Vikas
Samiti Shahid Veer Narayan Singh,
Bhilai, District Durg (CG)
- 7 The President, Samudayik Vikas
Samiti Sunder Nagar, Camp-2,
Bhilai, District Durg (CG)



- 8 The President, Samudayik Vikas Samiti Santervidas Nagar, Bhilai, District Durg (CG)
- 9 The President, Samudayik Vikas Samiti Vrinda Nagar, Bhilai, District Durg (CG)
- 10 The President, Samudayik Vikas Samiti Station Maroda, Bhilai, District Durg (CG)
- 11 The President, Samudayik Vikas Samiti, Gayatri Mandir, Bhilai, District Durg (CG)

**WRIT APPEAL UNDER SECTION 2 SUB-SECTION (1) OF THE
CHHATTISGARH HIGH COURT (APPEAL TO DIVISION
BENCH) ACT, 2006**

Appearance:

Shri Dashrath Prajapati, Advocate for the appellant.

Shri U.N.S. Deo, Government Advocate for the State/
respondents 1, 2 and 3 on advance copy.

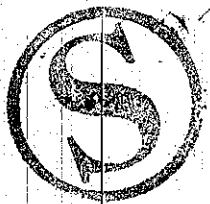
**ORAL ORDER
(29.02.2012)**

Sunil Kumar Sinha, J.

Heard on admission.

The appellant/petitioner has filed this appeal against the order dated 8th of December, 2011, passed in W.P.(C) No. 4102/2011.

The appellant/petitioner made an application for allotment of Fair Price Shop of Ward No.13. No decision was taken on its



application, however, by order dated 31.5.2011, issued by respondent No.2, respondents 4 to 11 were allotted Fair Price Shops of different Wards. The appellant challenged the validity of order dated 31.5.2011 (Annexure P/4 in the writ petition).

The writ Court held that by order dated 31.5.2011, the allotments were made to respondents 4 to 11 of the Fair Price Shops of other Wards and not of the Ward, for which, the appellant had applied. The writ Court further held that under Clause 18 (2) of the Chhattisgarh Public Distribution System (Control) Order 2004, there is provision of filing an appeal and the appellant without availing the above statutory remedy, has rushed to the High Court seeking quashment of the allotment order of respondents 4 to 11. The writ Court, therefore, dismissed the writ petition.

On due consideration of the submissions made by learned counsel for the appellant, we do not find any good ground to entertain this intra-Court appeal.

The writ appeal, therefore, is liable to be dismissed and is hereby dismissed summarily.

Sd/-
SUNIL KUMAR SINHA
Judge

Sd/-
Radhe Shyam Sharma
Judge

Sinha