

(2021) 10 J&K CK 0039

In the Jammu And Kashmir High Court

Case No : Others Writ Petition (OWP) No. 704 Of 2009, IA No. 931 Of 2009

Jasvinder Singh And Ors

APPELLANT

Vs

State And Ors

RESPONDENT

Date of Decision : 05-10-2021

Acts Referred:

Citation : (2021) 10 J&K CK 0039

Hon'ble Judges : Sanjeev Kumar, J

Bench : Single Bench

Advocate : Rajnish Raina, H.A.Siddiqui

Final Decision : Disposed Of

Judgement

Sanjeev Kumar, J

1 The short grievance projected by the petitioners in this petition is that they have been working as commission based fair price shop dealers and supplying ration and kerosene oil to the consumer public.

2 When this writ petition was filed, it was the grievance of the petitioners that the respondents, without giving them any opportunity of being heard, were reducing their consumers and thus, making their fair price shops unviable.

3 The respondents have filed their objections and have also brought on record the subsequent developments i.e., issuance of Government Order No. 127-FCS&CA of 2016 dated 04.08.2016 which promulgates a new policy for opening of fair price shops for ration distribution. Similarly, they have also brought it on record that the Government vide SRO 285/2016 has promulgated Jammu and Kashmir Kerosene oil (Licensing) order, 2016 which governs distribution of kerosene oil to the consumer public.

4 Mr.Siddiqui, learned AAG appearing for the respondents submits that this petition can be disposed of by providing that Government order dated 04.08.2016 and SRO 285/2016 (supra) issued on the subject would govern the

terms and conditions of the licenses issued for fair price shops, if any, in favour of the petitioners.

5 Having heard learned counsel for the parties and perused the record, I am of the view that with the subsequent developments i.e., issuance of Government Order dated 04.08.2016 and SRO 285/2016 (supra), the fair prices shops licenses and the kerosene oil licenses are now well regulated by the provisions of Government Order and the SRO aforesaid. In that view of the matter, this petition is disposed of by providing that the petitioners, if holding licenses for fair price shops or for distribution of kerosene oil, shall be governed strictly by the Government Order dated 04.08.2016 and SRO 285/2016 (supra) respectively. The petitioners, if aggrieved by the non-implementation of aforesaid Government Order or the SRO, as the case may be, shall be at liberty to approach this Court again.