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**(2011) 08 RAJ CK 0079**  
**In the Rajasthan High Court**  
**Case No : Civil Writ Petition No. 6983 of 2011**

Rajeng

APPELLANT

Vs

State of Rajasthan and Others

RESPONDENT

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**Date of Decision :** 05-08-2011

**Acts Referred:**

Rajasthan Foodgrains and other Essential Articles (Regulation and Distribution) Order, 1976 — Section 22

**Citation :** (2011) 08 RAJ CK 0079

**Hon'ble Judges :** Gopal Krishan Vyas, J

**Bench :** Single Bench

**Final Decision :** Dismissed

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## Judgement

Gopal Krishan Vyas, J.—Heard learned counsel for the petitioner.

2. In this writ petition, the Petitioner is challenging the order dated 30.12.2009 (Annexure-4) passed by the District Collector, Banswara and the order dated 02.06.2008 (Annexure-2) passed by the District Supply Officer, Banswara, whereby, the licence issued in favour of the Petitioner for fair price shop at village Khera Badlipada Part-I, Tehsil & District Banswara bearing No. 1368/2006 was cancelled.

3. After hearing learned counsel for the Petitioner it appears that upon complaint received by the District Collector on 15.3.2008 an inquiry was made and after providing an opportunity of hearing to the Petitioner and all the villagers, the inquiry report was called from the Enforcement Inspector.

4. The concerned Enforcement Inspector made inquiry and after recording statement of consumers gave finding that Petitioner has contravened the terms and conditions of the licence and charged excess cost of the essential commodities from the villagers.

5. After receiving inquiry report, the District Supply Officer, Banswara passed an order on 02.06.2008 (Annexure-2), whereby, the licence issued in favour of the

Petitioner being No. 1368/06 was cancelled and the amount of Rs. 1,000/- deposited by the Petitioner as security was ordered to be forfeited.

6. Against the above order passed by the District Supply Officer, Banswara an appeal was preferred by the Petitioner before the Court of District Collector, Banswara u/s 22 of the Rajasthan Food Grains and other Essential Articles (Regulation of Distribution) Act, 1976 and in the appeal after taking into consideration entire facts and the inquiry conducted in the matter, the District Collector dismissed the appeal.

7. Learned Counsel for the Petitioner submits that if any contravention was made by the Petitioner that was not for the area in question for which, the licence was granted to the Petitioner, which is village Kesarpura. The alleged irregularities are of the area for which additional work was given, therefore, on the basis of such inquiry, the licence issued in favour of the Petitioner cannot be cancelled.

8. I have perused both the orders dated 30.12.2009 and 02.06.2008.

9. In my opinion, the whole purpose of opening fair price shop is to provide essential commodities to the poor citizens residing in the village area that is welfare function of the State and if any person is contravening and violating terms and conditions of the licence, then obviously such action is required.

10. In this view of the matter, I see No. reason to interfere in this writ petition. Hence, this writ petition is hereby dismissed.