

(2014) 05 RAJ CK 0010

In the Rajasthan High Court

Case No : Civil Writ Petition No. 12774 of 2008

Ravi Prakash Sharma

APPELLANT

Vs

State of Rajasthan and Others

RESPONDENT

Date of Decision : 19-05-2014

Acts Referred:

Citation : (2015) 3 CDR 1196

Hon'ble Judges : M.N. Bhandari, J

Bench : Single Bench

Advocate : Anoop Dhand, Advocate for the Appellant; V.D. Gathala, Addl. Govt. Counsel, Advocate for the Respondent;

Final Decision : Allowed

Judgement

M.N. Bhandari, J.

1. None appears on behalf of respondent No. 4 despite service. By this writ petition, a challenge is made to the order Dt. 06.08.2008 whereby number of ration cards of the petitioner were reduced without notice or even assigning the reasons. There is no provision even to reduce the ration cards of authorization of fair price shop. In view of the above, impugned order deserves to be set aside.
2. Learned counsel for respondents submits that reduction of ration cards was for the reason that people of the area were complaining in regard to distribution of kerosene by the petitioner. In view of the above, ration cards were reduced.
3. I have considered the rival submissions made by the parties and find that number of ration cards of the petitioner have been reduced and by virtue of which, respondent No. 4 has been given excessive ration cards for distribution of kerosene. The impugned order does not give reason and even before passing the order, no opportunity of hearing was given to the petitioner. If it was on the complaint made by consumer regarding non-distribution of kerosene by the petitioner, nobody prevented the respondents to cause an inquiry and then to pass an appropriate order which may even for cancellation of authorization of fair

price shop. On the basis of allegations they have reduced ration cards thereby complaint was taken as truth even without a notice to the petitioner. The aforesaid is not permissible rather is in violation of principles of natural justice in view of the above, impugned order is set aside with the direction to the respondents to restore the number of ration cards which were existing in favour of the petitioner. The writ petition is allowed with the aforesaid.