

(2010) 09 UK CK 0035

In the Uttarakhand High Court

Case No : Writ Petition No. 1721 (M/S) of 2010

Suresh Kumar

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

Date of Decision : 30-09-2010

Acts Referred:

Citation : (2010) 09 UK CK 0035

Hon'ble Judges : Brahma Singh Verma, J

Bench : Single Bench

Judgement

B.S. Verma, J.—Heard Mr. Ramji Srivastava, learned Counsel for the petitioner and Mr. N.P. Shah, Standing Counsel for respondents 1 to 4.

2. By the impugned order dated 7-8-2010, annexure No. 8 to the writ petition, the license of the Fair Price Shop of the petitioner was suspended.

3. Aggrieved by this order, the petitioner preferred revision before the Commissioner, Garhwal Mandal, Pauri, Camp Dehradun for quashing of the aforesaid order. The interim relief application has also been moved, but the learned Commissioner by the order dated 9-9-2010, Annexure No. 12 to the writ petition, issued notice to the respondents and did not take any decision on the interim relief application.

4. However, clause-(14) of the Government Order dated 15.10.2005, provides an appeal against the impugned order and not a revision. Since the revision is pending, the petitioner is given liberty to convert the revision into appeal and press his interim relief application before the Commissioner, Garhwal Mandal Pauri.

5. The learned Commissioner is directed to decide the interim relief application of the petitioner, after converting the revision into an appeal and hearing the petitioner, within a period of two weeks, from the date of production of certified copy of this order before him. The petitioner shall also file the application for

conversion of revision into an appeal, along with the certified copy of the order before the learned Commissioner.

6. With the aforesaid directions, the writ petition is disposed of finally.