

(2021) 07 KAR CK 0026

In the Karnataka High Court

Case No : Writ Petition No. 12265 Of 2021 (GM-PDS)

Upendra & Others

APPELLANT

Vs

State Of Karnataka & Others

RESPONDENT

Date of Decision : 19-07-2021

Acts Referred:

Citation : (2021) 07 KAR CK 0026

Hon'ble Judges : G. Narendar, J

Bench : Single Bench

Advocate : Shivaramu H.C, Somashekhara K.H, Vinod Kumar M

Final Decision : Disposed Of

Judgement

G .Narendar, J

1. Heard learned counsel for petitioners and the learned Additional Government Advocate (hereinafter referred to as 'AGA' for short) for

respondents.

2. Smt. P. Savitha, Deputy Director, Food and Civil Supplies Department, Chikkaballapura is present.

3. It is submitted that Annexure-A-proceedings are pursuant to directions issued by the Chairman of the Karnataka Food Commission. On enquiry,

whether such power is vested with the Food Commission to issue directions of the instant nature, learned AGA is unable to point out any such

provision.

4. Be that as it may, the point that requires determination is, the grievance that is canvassed by the petitioners. It is their case that they have been

compelled to purchase food grains and rations from a shop which is situated about 8 k.ms. away, on account of suspension of the license of the

existing fair price depot. It is not in dispute that the suspension came about on the complaint of the cardholders, alleging irregularities by the person running the fair price depot situated in Cholashettyhalli. That after suspension, cardholders were permitted to draw ration from VSSN Nagaragere fair price depot. That yet again, within a couple of days there after, the respondents arbitrarily permitted the fair price depot of one Sugunamma's fair price depot at Bandaaralahalli to distribute the ration to the cardholders of Cholashettyhalli as per the impugned order. Aggrieved petitioners are before this Court. It is submitted that it is not within a reasonable communicable distance and it is situated at about 8 k.ms. away and that the cardholders being BPL cardholders, are forced to incur expenses on traveling and they are also forced to undergo the travails of undertaking journey and also making travel arrangements to and from their homes to Bandaaralahalli in these times of the pandemic and in absence of public transport it has become a nightmare for them.

5. Be that as it may, upon instructions learned AGA submits that the officer present would be issuing orders by tomorrow and shifting cardholders back to Kodihalli fair price depot or such other alternative depot that is nearest to the petitioners.

6. In view of the submission by learned AGA, this Court is of the considered opinion that instant writ petition could be disposed of by recording the same. Accordingly, writ petition is disposed of by placing on record the fair submission of Smt. P. Savitha, Deputy Director, Officer present before the Court, that she shall issue appropriate orders to ensure dispensation of ration by the Kodihalli fair price depot with immediate effect is fair. The petition stands ordered accordingly.

7. In view of the undertaking given to the Court, the prayer for quashing the order at Annexure -A does not survive.

The officer present shall take steps to implement the undertaking forthwith.

No order as to cost.