



2026:CGHC:21072



2026:CGHC:21072

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 2230 of 2026**

1 - Sambriddh Women Self Help Group Through President Smt. Sobha Singh W/o Late Santosh Singh Aged About 56 Years, President Of Sambriddh Women Self Help Group - Ward No. 37 Darripara R/o Ward No. 37 Darripara, P.S. And Tahsil - Ambikapur, Distt - Surguja Chhattisgarh

... Petitioner(s)**versus**

1 - State Of Chhattisgarh Through The Secretary, Department Of Food And Civil Supply Mahanadi Bhawan New Raipur Distt Raipur Chhattisgarh

2 - The Collector (Food Department) Surguja Distt Surguja Chhattisgarh

3 - The Food Officer (Ambikapur) Distt Surguja Chhattisgarh

4 - The Food Inspector Ambikapur Distt Surguja Chhattisgarh

5 - President Of Fatima Tu Jehara Women Self Help Group/ Operator Of Govt. Faire Price Shop Vivekanand Ward, Ambikapur Distt Surguja Chhattisgarh I.D. No. 391001009 R/o Parradand, Ambikapur Distt Surguja Chhattisgarh

... Respondents**(Cause-title taken from the Case Information System)**



For Petitioners :- Mr. A.N. Pandey, Advocate
For State :- Mr. Soumitra Kesharwani,P.L.

SB- Hon'ble Shri Justice Amitendra Kishore Prasad

Order On Board

06.05.2026

1. The present writ petition under Article 226 of the Constitution of India has been filed by the petitioner challenging the order dated 13.04.2026 passed by Respondent No. 3 whereby the allotment of the fair price shop of the petitioner has been cancelled, and also seeking other consequential reliefs.
2. The case of the petitioner, in brief, is that the fair price shop of Ward No. 33, Ambikapur was allotted to the petitioner–Self Help Group on 28.02.2015 and since then the petitioner was running the said shop without any complaint. It is submitted that on the basis of an inspection report allegedly prepared without physical verification, a show cause notice dated 23.03.2026 was issued to the petitioner, to which reply was duly submitted denying all allegations. However, without conducting any proper enquiry and without affording adequate opportunity of hearing, the impugned order dated 13.04.2026 came to be passed cancelling the allotment. It is further alleged that Respondent No. 4 had forcibly obtained a resignation letter from the petitioner under threat, which has been made the basis for cancellation.



3. Following reliefs have been prayed by way of this petition:-

“10.1 That, this Hon'ble court may kindly be pleased to set aside of the impugned order dated 13.4.2026 ANNEXURE P/1 issued by the respondent no.3.

10.2 That, this Hon'ble Court was please to direct to hold an enquiry in this matter against the respondent no.4.

10.3 Any other relief or reliefs may also be granted to the petitioner which this Hon'ble court deems fit and proper in the facts and circumstances of the case.”

4. Learned counsel for the petitioner submits that the impugned order is illegal, arbitrary and in violation of principles of natural justice as well as mandatory provisions of Clause 16(3) of the Chhattisgarh Public Distribution System (Control) Order, 2016. It is contended that the petitioner has never voluntarily resigned from the fair price shop and the alleged resignation was obtained under coercion. It is further submitted that no proper enquiry was conducted and the cancellation order has been passed mechanically.

5. Learned State counsel, on the other hand, submits that against the impugned order, an efficacious alternative remedy of appeal is available under Section 18 of the Chhattisgarh Public Distribution System (Control) Order, 2016. It is submitted that the petitioner, if aggrieved, ought to avail the said statutory remedy, which is



expeditious in nature and provides for adjudication of all grievances.

6. Having heard learned counsel for the parties and on perusal of the record, this Court finds that the grievance of the petitioner relates to cancellation of fair price shop allotment. It is not in dispute that the Control Order, 2016 provides a statutory remedy of appeal under Section 18 against such orders. This Court is of the considered opinion that when an efficacious alternative remedy is available, the petitioner should ordinarily be relegated to avail the same, particularly when the disputed questions of fact are involved. It is also relevant to note that the said appellate authority is required to decide the appeal within a stipulated period, which is approximately **30 days**, thereby ensuring expeditious adjudication.
7. Accordingly, considering the aforesaid facts and circumstances of the case, the present writ petition is **disposed of** with the following directions that the petitioner is granted liberty to file an appeal before the competent appellate authority under Section 18 of the Chhattisgarh Public Distribution System (Control) Order, 2016. If such appeal is filed within a period of 10 days from today, the same shall be considered and decided by the appellate authority expeditiously, preferably within a period of 30 days thereafter. The appellate authority shall consider all grounds raised by the petitioner, including the plea regarding violation of



principles of natural justice and alleged coercion, strictly in accordance with law.

8. It is made clear that this Court has not expressed any opinion on the merits of the case.
9. With the aforesaid observations and directions, the writ petition stands **disposed of**.
10. No order as to costs.

sd/-

(Amitendra Kishore Prasad)
Judge

Vishakha