

GAHC010233582023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/6053/2023

RAKESH SINGH
S/O LATE RANA PRATAP SINGH, R/O VILL-LABAKPUR PART-II, P.O.-
PAILAPOOL, P.S.-LAKHIPUR, DIST-CACHAR, ASSAM, PIN-788004

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM, FOOD AND
CIVIL SUPPLIES DEPARTMENT, DISPUR, GUWAHATI, KAMRUP (M)-6,
ASSAM

2:THE DIRECTOR
FOOD AND CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT
GUWAHATI
KAMRUP (M)
ASSAM
PIN-781005

3:THE DEPUTY COMMISSIONER
CACHAR
SILCHAR
ASSAM
788001

4:SMTI. JUNALI DEVI (ACS)
ASSISTANT COMMISSIONER CUM EXECUTIVE MAGISTRATE
CACHAR
SILCHAR
DIST- CACHAR
ASSAM
PIN-788001

5:THE SUB-DIVISIONAL OFFICER (CIVIL)
DEPARTMENT OF FOOD AND CIVIL SUPPLIES
LAKHIPUR SUB-DIVISION
LAKHIPUR
P.O. AND P.S.-LAKHIPUR
DIST-CACHAR
ASSAM

6:THE SUPERINTENDENT
FOOD AND CIVIL SUPPLIES
LAKHIPUR SUB-DIVISION
LAKHIPUR
P.O. AND P.S.-LAKHIPUR
DIST-CACHAR
ASSAM

7:THE INSPECTOR
FOOD AND CIVIL SUPPLIES
LAKHIPUR SUB-DIVISION
LAKHIPUR
P.O. AND P.S.-LAKHIPUR
DIST- CACHAR
ASSA

Advocate for the Petitioner : MR. B J GHOSH

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : 18.10.2023

Heard Mr. I. Alam, learned counsel for the petitioner and Mr. G. Bokolial, learned Junior Government Advocate, Assam for the respondent nos. 1, 2, 3, 5, 6 & 7.

The petitioner is a licensee/dealer of a Fair Price Shop [FPS] to keep articles under the Control Orders framed under the Essential commodities Act, 1955. The case of the petitioner is that the respondent authorities had made a

search and seized books of accounts, articles, registers, etc. including one set of keys pertaining to the godown maintained by the petitioner as a FPS dealer in violation of the provisions contained in the Assam Public Distribution of Articles [APDA] Order, 1982 and the Public Distribution System [Control] Order, 2001.

Issue notice, returnable in 4 [four] weeks.

As Mr. Bokolial, learned Junior Government Advocate, Assam has appeared and accepted notice on behalf of the respondent nos. 1, 2, 3, 5, 6 & 7, no formal notices need to be issued to the said respondents. Mr. Alam, learned counsel for the petitioner shall, however, furnish requisite nos. of extra copies of the writ petition along with annexures, to Mr. Bokolial within 3 [three] working days from today.

As on date, on the basis of the pleadings in the writ petition, there appears to be no necessity to issue notice to the respondent no. 4.

JUDGE

Comparing Assistant