âITEM NO.39 COURT NO.2 SECTION XI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).23268/2008

(From the judgement and order dated 21/08/2008 in CMWP No.53882/2007
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

JYOTI DEVI Petitioner(s)

VERSUS

RANG NATH UPADHYAY & ORS. Respondent(s)

(With prayer for interim relief and office report)

Date: 04/07/2011 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s) Mr. K.L. Janjani, Adv.
Dr. Vinod Kumar Tewari, Adv.
Mr. Pankaj Kumar Singh, Adv

For Respondent(s)
Ms. Garima Prashad, Adv.

UPON hearing counsel the Court made the following
O R D E R

Although, the Fair Price Shop licence of the respondent No.1 was cancelled on several grounds, the High Court while passing the impugned order does not appear to have taken notice of all the grounds. However, on the strength of the order passed by the High Court, the licence of the petitioner was restored and he has also been continuing with his Fair Price Shop.

In order to decide this matter, it would be relevant for the State of U.P. to be represented, since it has chosen not to appear despite service of notice. Accordingly, let this matter be adjourned for a period of four weeks (1.8.2011) for the present, to enable the respondent No.1 to produce a copy of the show cause notice, which was issued to him prior to cancellation of his licence along with the explanation submitted by him to the said notice, by way of additional documents.

The State of U.P. and its officers, who were responsible for the cancellation of the petitioner's licence, are directed to be represented on the next date and learned counsel appearing for the said respondents is also directed to produce the records relating to the cancellation of the licence of the respondent No.1.

(Chetan Kumar)
Court Master

(Juginder Kaur)
Assistant Registrar