

GOVT. OF NCT OF DELHI
OFFICE OF THE ADDITIONAL COMMISSIONER / APPELLATE AUTHORITY
DEPARTMENT OF FOOD, SUPPLIES AND CONSUMERS AFFAIRS
K - BLOCK, VIKAS BHAWAN, I.P. ESTATE, NEW DELHI - 110002.

No.: Spl.Com./AA/FPS Appeal/F&S/2026/163-166

Dated: 13/02/2026

APPEAL NO. 04/2023

In the matter of:

M/s Dina Nath & Co.
FPS No. 8536, Circle-62 (Shahdara)
340/12, Gali No. 1, Friends Colony,
Delhi - 110 093.

Through Sh. Santosh, Prop.

Versus

The Assistant Commissioner (East)
Department of Food Supplies & Consumer Affairs,
GNCT of Delhi.

188/001/21
13/02/26

ORDER

1. This Order shall dispose-off the Appeal dated 30-01-2023 filed by the appellant, Sh. Santosh Prop. of FPS No. 8536 (M/s Dina Nath & Co.), Circle-62 (Shahdara), 340/12, Gali No. 1, Friends Colony, Shahdara, Delhi - 110 093 for Review of Order dated 11-01-2022 issued by the Assistant Commissioner (East)/Licensing Authority, under Clause 6 of Delhi Specified Articles (Regulation of Distribution) Order 1981.
2. The Brief Facts of the case are as under:-
 - i. That the license of FPS No. 8536 was allotted to Sh. Dina Nath (father of the appellant) on 17-11-1994.
 - ii. And that the licensee expired on 28-04-2015.
 - iii. And that upon death of Sh. Dina Nath (the original licensee), the change of Constitution of FPS No. 8536 was effected on 24-11-2015 in favour of appellant (son of deceased licensee) upon following due procedure.



To upload.

1

Dimple, TD
AD (MKS)
Mohit

Kujaw
13/2/2026



- iv. And that after the change of constitution in favour of the appellant, the license of FPS No 8536 was renewed in year 2015 and 2018 for a period of 3 year each and the license was valid upto 19-07-2021.
 - v. And that the appellant had applied for renewal of the license of instant FPS No. 8536 for another period of 3 years in 2021.
 - vi. And that a Suspension Order dated 02-11-2021 was issued by the Asstt. Commissioner (East)/Licensing Authority for non-submission of "Signature of Landlord on rent agreement"; "ST Certificate" and "Original Property Document" while considering for renewal of license of FPS No. 8536.
 - vii. And that the Asstt. Commissioner (East)/Licensing Authority issued a Cancellation Order dated 11-01-2022 since the appellant failed to submit the ST (Scheduled Tribe) Certificate during consideration of renewal of license for FPS No. 8536.
3. The appellant, in his instant Appeal has sought relief relying on the following grounds-
- i. That the license for FPS 8536 was granted by the Department to the father of the appellant Sh. Dina Nath on 17-11-1994.
 - ii. And that father of the Appellant, Sh. Dina Nath expired in GTB Hospital due to liver problem at the age of 45 on 28-04-2015. And that as per Departmental policy, the ownership of the FPS was transferred in the name of Appellant in 2015 by changing the constitution.
 - iii. And that Department has renewed the license for 3-3 years in 2015 and 2018 and the license of FPS is valid upto 19-07-2021.
 - iv. And that in 2021, the appellant had applied for renewal of his license through Circle-62 for another period of 3 years, in time.
 - v. And that vide Show Cause Notice dated 18-10-2021, the appellant was asked to submit some documents related to renewal of his FPS license.
 - vi. And that vide Suspension Order dated 02-11-2021, the FPS of the appellant was suspended due to the reason that the appellant was not able to furnish requisite documents within the given time.
 - vii. And that on 11-01-2022 the FPS license of the appellant was cancelled due to the reason that the appellant could not produce/submit ST (Scheduled Tribe) Certificate.
 - viii. And that in response to the Show Cause Notice dated 18-10-2021 and Cancellation Order dated 02-11-2021, the appellant had submitted SC (Scheduled Caste) certificate issued to him and also to the original allottee, Sh. Dina Nath who is his deceased father.
4. After hearing the contentions, examining their written submissions and perusing other relevant records placed before me in the case file, it is noted that license of the FPS was cancelled for the sole reason that the appellant Shri Santosh, Prop of M/s Dina Nath & Co. (FPS No. 8536) could not provide Scheduled Tribe (ST) Certificate that was asked from him during consideration of license renewal from 20-07-2021 onwards. Even though the appellant had filed appeal since 30-01-2023, the respondent i.e. Assistant Commissioner (East)/Licensing Authority could not establish that the Original Allotment



was in ST (Scheduled Tribe) category nor that the Licensing Authority could refute the claim of appellant as the license was kept renewed since 1994. And that upon death of the original allottee, Sh. Dina Nath, the Department had already changed the constitution of the instant FPS in favour of his son/appellant and the FPS had already been renewed twice for a period of 3 years each under the proprietorship of the appellant. Accordingly, in the interest of natural justice, prayer of the appellant for withdrawal of Cancellation Order dated 11-01-2022 issued by Assistant Commissioner (East)/Licensing Authority is accepted and the arbitrary Order dated 11-01-2022 passed by the Assistant Commissioner (East)/Licensing Authority is set aside and the license of the FPS No. 8536 (M/s Dina Nath & Co.) is restored. The Assistant Commissioner (East)/Licensing Authority is further directed to renew the instant FPS No. 8536 M/s Dina Nath & Co. as per rules.

5. Ordered accordingly.
6. Parties be informed.

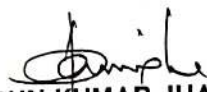

(ARUN KUMAR JHA)
Addl. Commissioner (F&S)/
Appellate Authority

Dated: 13/02/2026

No.: Spl.Com./AA/FPS Appeal/F&S/2026/183-166

Copy to:

1. The Asstt. Commissioner (East), F&S Department, GNCT of Delhi.
2. Sh. Santosh of M/s Dina Nath & Co., FPS No. 8536, Circle-62 (Shahdara), 340/12, Gali No. 1, Friends Colony, Shahdara, Delhi - 110 093 through Asstt. Commissioner (East).
3. Sh. Santosh of M/s Dina Nath & Co., FPS No. 8536, Circle-62 (Shahdara), R/o B-35/1, Gali No. 2/2, West Nathu Colony, Nand Nagri, Delhi - 110 093. M.No. - 98184 65891.
4. SSA (IT), F&S Deptt., K-Block, Vikas Bhawan, New Delhi with the direction to upload the Order on Departmental website.


(ARUN KUMAR JHA)
Addl. Commissioner (F&S)/
Appellate Authority