

GOVT. OF NCT OF DELHI
OFFICE OF THE SPECIAL 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/2025/1194-96

Dated: 07/11/2025

APPEAL NO. 06/2022

In the matter of:

M/s Ram Prakash & Sons
FPS No. 1465, Circle - 23 (Karol Bagh),
B-43, Double Storey, Motia Khan, Paharganj,
New Delhi - 110 055.

Versus

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

ORDER

1. This Order shall dispose of the Appeal dated 17-01-2022 filed by the appellant, Sh. Naresh Kumar Miglani, Proprietor of M/s Ram Prakash & Sons, FPS No. 1465, Circle-23 (Karol Bagh) for Review of Order of Asstt. Commissioner (Central)/Licensing Authority dated 06-08-2021, under Delhi Specified Articles (Regulation of Distribution) Order 1981 and Targeted Public Distribution System (Control) Order, 2015.
2. The Brief Facts of the case are as under:-
 - i. That the Appellant was the proprietor of the Fair Price Shop No. 1465 which was operating in the name of Ram Prakash & Sons (hereinafter referred as 'said FPS') since 15-06-2006 with valid license upto 30-03-2024 under Circle-23 (Karol Bagh) in District Central of Food, Supplies & Consumer Affairs Department of GNCT of Delhi.
 - ii. That the appellant on 02-08-2021 had tendered his resignation and requested for acceptance of resignation of the said FPS with immediate effect citing reason of his ill health.

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- i. That the appellant had relinquished the authorization of the said FPS No. 1465 on his own free will on 02-08-2021 citing reason of his ill health and has specifically requested for early acceptance.
- ii. And that no medical fitness certificate has been provided.
- iii. And that even in the event of appellant being medically fit presently to operate; there is no guarantee that his health conditions will not worsen in future requiring him to consider resignation.
- iv. And that Ration Cards assigned with the instant FPS has already been linked with other FPSs of the area and the beneficiaries are availing their allocated SFA without any issue. Frequent linking and delinking of cards from one FPS to another will amount to unnecessary hardship to the recipients of the SFA.
- v. The Petitioner referenced similar cases where FPS holders were allegedly allowed to withdraw their resignations. However, consistency in decision-making does not require identical outcomes in all cases, especially where individual circumstances differ.
- vi. And that in a similar case in W.P.(C) 8841/2024 & CM APPL. 35910/2024 Hon'ble High Court of Delhi, while dismissing the Case No W.P.(C) 8841/2024 & CM APPL. 35910/2024, has stated as under-

"12. The Court has carefully considered the Petitioner's contentions but remains unpersuaded. The record shows that the Petitioner voluntarily submitted her resignation in 2014, which was promptly accepted by the designated official from the Department of Food Supplies and Consumer Affairs, GNCTD. It appears that, over time, the Petitioner regretted her decision and sought to revisit it through a series of legal proceedings. Her persistence in pursuing reinstatement, while earnest, does not establish a case for relief under the present circumstances.

13. Following the acceptance of her resignation, the Petitioner has since filed two review petitions and two appeals, all of which have been adjudicated without favourable results. Each of these proceedings provided ample opportunity for the Petitioner to make her case for reinstatement of her FPS authorization, yet the Respondents consistently held that the Petitioner's claims lacked merit. This consistency across multiple orders reflects a reasoned approach, indicating that the Respondents' stance is neither arbitrary nor dismissive, but rather grounded in substantive considerations.

14. The Court is inclined to agree with the observations made in the impugned order dated 18th April, 2024 passed by the Financial Commissioner. Firstly, all the contentions of the Petitioner had been considered and adequately addressed by Respondents in the orders of first appeal and the two review petitions and secondly, the Petitioner has no plausible explanation to assail the acceptance of the voluntary resignation after a considerable delay of 6 years. In this period of delay, the Respondents had linked the ration cards of the Petitioner with the other FPSs. Therefore, the Financial Commissioner

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viii. And that, on 09-10-2025, the FSI Circle-23 has handed over a handwritten Application dated 21-08-2024 of Sh. Naresh Kumar Prop. of M/s Ram Prakash & Sons whereby the appellant has requested to withdraw his instant FPS Appeal stating his unwillingness to operate the said FPS license citing his ill-health.

5. In the light of the aforesaid, although the instant Appeal is devoid of any merit, but is accordingly dismissed as withdrawn.
6. Parties be informed accordingly.


(ARUN KUMAR JHA)

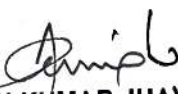
Special Commissioner (F&S)/
Appellate Authority

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Dated: 07/11/2025

Copy to:

1. The Asstt. Commissioner (Central), F&S Department, GNCT of Delhi.
2. Sh. Naresh Kumar Miglani Proprietor M/s Ram Prakash & Sons, FPS No. 1465, Circle-23 (Karol Bagh), through Asstt. Commissioner (Central).
3. SSA (IT), F&S Deptt., K-Block, Vikas Bhawan, New Delhi with the direction to upload the Order on Departmental website.


(ARUN KUMAR JHA)

Special Commissioner (F&S)/
Appellate Authority