

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/2026/ 132-35

Dated: 21/01/2026

APPEAL NO. 11/2024

In the matter of:

M/s Mittal Store
FPS No. 8087, Circle-10 (Sultanpur Majra)
P-1/99, Sultanpuri,
Delhi - 110 086.

Through Sh. Manoj Mittal, Prop.

Versus

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

ORDER

1. This Order shall dispose-off the Appeal dated 12-09-2024 filed by the appellant, Sh. Manoj Mittal of M/s Mittal Store, FPS No. 8087, Circle-10 (Sultanpur Majra), P-1/99, Sultanpuri, Delhi - 110 086 through Asstt. Commissioner (North-West) for Review of Order dated 27.03.2023 issued by the Assistant Commissioner (North-West)/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 Shri Manoj Mittal, Prop of M/s Mittal Store (FPS 8087) was involved in an accident case that happened on 01.01.2023.
 - ii. And that he was arrested and sent to judicial custody. This incident came to knowledge of FSO, Circle-10 through media reports and newspaper.
 - iii. And that on receiving information about the arrest and involvement in a criminal case of the proprietor of FPS No. 8087, the Licensing Authority/AC (NW) issued Suspension-cum-SCN to FPS-8087 on 05.01.2023.



- iv. And that an opportunity of personal hearing was provided to legal heirs of Shri Manoj Mittal on 23.01.2023 and 24.03.2023. However, no legal heirs appeared before the then Assistant Commissioner (NW) but written reply dated 23.01.2023 and 24.03.2023 signed by Shri Manoj Kumar were received.
 - v. And that after considering the reply, the Licensing Authority/AC (NW) vide order dated 27.03.2023 cancelled the license of FPS-8087 mentioning that FPS being a proprietorship firm and the proprietor being in judicial custody, it is not possible to keep the FPS in running condition.
 - vi. And that appellant is released on bail on 22.08.2024 as per the Hon'ble High Court of Delhi Order dated 14.08.2024.
 - vii. And that the appellant has submitted an affidavit dated 08-01-2026 declaring that if the said bail is rejected or if he is convicted in the said case, his FPS may again be cancelled.
3. The appellant, in his instant Appeal has sought relief relying on the following grounds-
- i. That the Assistant Commissioner (North-West) has passed impugned order without applying the principle of natural justice.
 - ii. And that the impugned order dated 05/01/2023 & 27.03.2023 passed by Assistant Commissioner (North-West) Food & Supplies has been passed mechanically without considering the fact that the FPS holder has neither involved in any criminal case nor violated any provision of Delhi Specified Articles (Regulation of Distribution) order 1981.
 - iii. And that the appellant is falsely implicated in a criminal case as the appellant was only passenger in the vehicle which caused accident, however, matter is still pending for adjudication before the Hon'ble Court and until the Hon'ble Court convict him he is treated to be innocent, as per law, hence, the order is liable to be set aside.
 - iv. And that the appellant is also released on bail on 22.08.2024 as per the Hon'ble High Court of Delhi direction in order dated 14.08.2024.
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 as the appellant Shri Manoj Mittal, Prop of M/s Mittal Store (FPS 8087) was arrested and sent to judicial custody. Now that the appellant is released on bail on 22.08.2024 as per Hon'ble High Court of Delhi Order dated 14.08.2024 and has shown his willingness to run the said FPS and since he is not a convict in any known case which bars the appellant to operate a FPS and since the appellant has also submitted an affidavit dated 08-01-2026 declaring that if the said bail is rejected or if he is convicted in the said case, his FPS be cancelled, I am of the view that it would be unjust to keep the said FPS closed. Accordingly, in the interest of natural justice, prayer of the appellant for withdrawal of Order dated 27.03.2023 issued by Assistant Commissioner (North-West)/Licensing Authority is accepted and the Order dated 27.03.2023 passed by the Licensing Authority is set aside and the license of the FPS No. 8087 is restored with the condition that in the event of cancellation of the said bail or in the event of appellant



being convicted in the said case, the said FPS No. 8087 be cancelled with immediate effect.

5. Ordered accordingly.
6. Parties be informed.


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

No.: Spl.Com./AA/FPS Appeal/F&S/2026/132-35

Dated: 21/01/2026

Copy to:

1. The Asstt. Commissioner (North-West), F&S Department, GNCT of Delhi.
2. Sh. Manoj Mittal of M/s Mittal Store, FPS No. 8087, Circle-10 (Sultanpur Majra), P-1/99, Sultanpuri, Delhi - 110 086 through Asstt. Commissioner (North-West).
3. Sh. Manoj Mittal of M/s Mittal Store, FPS No. 8087, Circle-10 (Sultanpur Majra), P-1/99, Sultanpuri, Delhi - 110 086. M.No. - 97166 21790.
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