

**OFFICE OF THE COMMISSIONER /APPELLATE AUTHORITY**  
**DEPARTMENT OF FOOD SUPPLIES AND CONSUMERS AFFAIRS**  
**GOVT. OF NCT OF DELHI**  
**ROOM No. 101, 1st FLOOR, K-BLOCK, VIKAS BHAWAN, I.P. ESTATE**  
**Ph.No. 011-23379252 NEW DELHI-110002**

No.PS/COMM./AA/FPS Appeal/F&S/2021/ 275 - 278

Dated: 31/08/2021

**Review Appeal No. 17/2021**

**Appeal No.144/2016**

**In the matter of:**

M/s. Khandelwal Store,  
FPS No. 6607, Circle-29  
Delhi.

Shri Sat Narain

Appellant

Versus

The Assistant Commissioner (West)  
Deptt. Of Food Supplies & Consumer Affairs  
Delhi

Respondent

**Date of Hearing 26.08.2021**

**ORDER**

The instant Review Appeal has been filed by Shri Sat Narain, Prop. of M/s. Khandelwal Store, FPS No. 6607, Circle -29 under Clause 6 (6) of Delhi Specified Articles (Regulation of Distribution) Order, 1981 against the Order dated 28.10.2016 passed by Assistant Commissioner (West) and for compliance of Order dated 13.06.2019 (in Appeal No.144/2016) passed by the then Special Commissioner (F&S)/Appellate Authority.

Shri Vishnu Sharma, on behalf of appellant alongwith Shri Shailendra, Authorised Representative of appellant and Shri Rajiv Chhabra, Assistant Commissioner (West) were present.

The Case was called and heard at length.

The Authorised Representative of the Appellant briefed the facts of the case in short. He stated that the FPS of the appellant was cancelled vide Order No. F.(SCN)/AC(W)/2016/2074-79 dated 28.10.2016 and aggrieved by the decision of the Licensing Authority an appeal was filed before the then Appellate Authority (Appeal Case No.144/2016). After hearing the case, the Appellate Authority vide Order No.PS/SS(Admn.)/FPS Appeal/F&S/2019/835-36 dated 13.06.2019 remanded back the case to Licensing Authority for verifying the facts regarding non drawl of SFAs by the NFS beneficiaries of FPS No.6607 who were found residing at the time of door to door survey conducted for the month of December, 2015 and directed to decide the case on merit within a period of one month after giving opportunity of hearing to the licensee.

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He submitted that the appellant is a senior citizen and the case was remanded back to licensing authority in the year 2019 with the direction to decide the matter on merit within one month but even after lapse of more than two years no decision was taken by the licensing authority till date. He prayed for prompt disposal of the matter at the earliest and requested to issue necessary directions to the licensing authority in this regard.

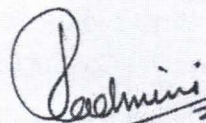
The Assistant Commissioner (West)/Licensing Authority stated that due to quick reshufflings in the portfolios of the Assistant Commissioners from time to time the matter was delayed and accepted that the case is pending for appropriate decision. He sought time for verifying the facts adduced by the Appellant regarding non drawl of SFAs by the NFS beneficiaries of FPS 6607 who were found residing at the time of door to door survey conducted for the month of December, 2015. He assured that the matter will be decided at the earliest.

After hearing contentions of the petitioner, examining written submissions and perusing other relevant records placed before me, it is seen that the then Special Commissioner (F&S)/Appellate Authority vide Order dated 13.06.2019 remanded back the case to Licensing Authority for verifying the facts regarding non drawl of SFAs by the NFS beneficiaries of FPS No.6607 who were found residing at the time of door to door survey conducted for the month of December, 2015 and directed to decide the case on merit within a period of one month after giving opportunity of hearing to the licensee but as stated by the Licensing Authority due to quick reshufflings in the portfolios of the Assistant Commissioners from time to time by the Department, the matter could not be heard and passed over.

Therefore, considering the facts and prayer of the Appellate, without going into the merit of the case, I am of the considered view that as decided by the then appellate authority the matter will be heard and decided on merit by the Licensing Authority within a period of two months.

The review appeal is disposed of.

Parties be informed accordingly.

  
(PADMINI SINGLA) 31/08/2021

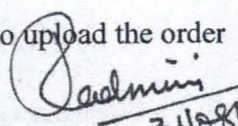
COMMISSIONER (F&S)/APPELLATE AUTHORITY

No.PS/COMM./AA/FPS Appeal/F&S/2021/ 275-278

Dated: 31/08/2021.

Copy to :-

1. The Assistant Commissioner (West), F&S Deptt. GNCT of Delhi.
2. Shri Sat Narain, Prop., M/s. Khandelwal Store (FPS No. - 6607), C-29 through Assistant Commissioner (West).
3. Shri Sat Narain, Prop. M/s. Khandelwal Store (FPS No. - 6607), R/o Site I/508, Vikas Puri, Delhi - 110018.
4. SSA (IT), F&S Deptt., K-Block, Vikas Bhawan, Delhi with the direction to upload the order on Departmental website.

  
(PADMINI SINGLA) 31/08/2021

COMMISSIONER (F&S)/APPELLATE AUTHORITY