

\$~7

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 2037/2021, CM APPL. 5977/2021, CM APPL. 14906/2021,  
CM APPL. 21333/2021, CM APPL. 32080/2021, CM APPL.  
32082/2021 & CM APPL. 32149/2021

DELHI SARKARI RATION DEALERS SANGH DELHI

..... Petitioner

versus

COMMISSIONER FOOD AND SUPPLIES GOVT  
OF NCT OF DELHI & ORS.

..... Respondents

**MEMO OF APPEARANCE**

**For the petitioner**

Mr. Visheshwar Shrivastav and Mr. Manoj Kumar Gautam, Advs.

**For the respondents**

Mr. Rahul Mehra, Sr. Adv. and Mr. K.V. Viswanathan, Sr. Adv. with  
Mr. Gautam Narayan, ASC and Ms. Asmita Singh and Mr. Chaitanya Gosain,  
Advs. for R-1 (GNCTD)

Mr. Chetan Sharma ASG, Ms. Aishwarya Bhati ASG, Ms. Monika Arora  
CGSC, Mr. Shriram Tiwary, Mr. Vinay Yadav and Mr. Sahaj Garg, Advs.  
with Mr. Shoumendu Mukherji GP for UOI.

Mr. Rajiv Nayar, Sr. Adv. with Mr. Talha Abdul Rahman, Mr. Saurabh Seth,  
Mr. Mohd Shaz Khan, Mr. Udit Atul Konkantankar and Mr. Harsh  
Vardhan Kediya, Advs. for Applicant Bandhua Mukti Morcha in CM  
Application No. 21333/2021.

Mr. Ajit Pudussery, Adv. for R-5 /Chairman FCI.

Ms. Umang Raj, Mr. Ashutosh Mishra and Mr. Anurag Sarada, Advs. for R-  
6.

**CORAM:**  
**HON'BLE MR. JUSTICE VIPIN SANGHI**  
**HON'BLE MR. JUSTICE JASMEET SINGH**  
**ORDER**  
**27.09.2021**

%

1. We have spent over half an hour hearing the learned counsel for the petitioner. The pdf file of this case runs into nearly 4000 pages. Despite us specifically telling the counsels to be ready with the complete pagination, including the pdf file page numbers, the counsel for the petitioner is clueless and he neither has the running page number of the file, nor the pdf page number of the file. During the course of arguments, counsel for the petitioner has been randomly referring to one page after another of the file. We refuse to waste our time in trying to locate the pages. We, therefore, adjourn the proceedings to 27.10.2021.
2. Counsels for the parties are again directed to strictly ensure that they have the complete file pagination, i.e. the running page number as well as the pdf file number. Time and again, we have informed all counsels to obtain pdf files from the Court Master, so that they are able to properly assist the Court with page numbering. Even in our cause list we have made a note to this effect, but to no avail.
3. In case, any of the counsels are not possessed of the page numbering of the file, on the next date, the matter shall not proceed, and the concerned party shall be subjected to costs for the adjournment.
4. At this stage, Mr. Viswanathan – who appears for the GNCTD submits that this Court has not stayed the implementation of the scheme for door to door delivery of food grains/ flour. He submits that this Court passed

an interim order of protection in favour of the petitioner on 22.03.2021, as it was pointed out that the GNCTD had issued an e-mail communication dated 08.03.2021 – whereby the supplies to be made to the existing PDS distributors was to be stopped, so that food grains could be distributed door to door by another agency. He submits that this Court had only directed the GNCTD not to stop or curtail the supply of food grains/flour, to the members of the petitioner association. He submits that the GNCTD has undertaken the exercise of calling for options from all PDS card holders, as to whether they prefer to continue with the existing system of collecting their rations from the existing PDS shops, or to have their rations delivered at their door step. He submits that an overwhelming majority has opted for supply of rations at their door step. He submits that the GNCTD would, therefore, necessarily have to curtail the supplies to the members of the petitioner association to the extent the rations have to be supplied at the door steps as per the options called for by the GNCTD, as the petitioner cannot be given rations for distribution even in respect of those who have opted for supply of rations at their door steps.

5. We, therefore, modify our order dated 22.03.2021. The GNCTD shall first issue communications to each of the fair price shop holders, informing them of the particulars of the ration card holders, who have opted to receive their rations at their door steps and, only thereafter, the rations, to the extent that they are being supplied to such optees, need not be supplied to the fair price shop holders.

6. In case, the members of the petitioner association seek any further details with regard to the manner in which the options have been called from the ration card holders, the GNCTD shall provide the relevant record to the

members of the petitioner association.

7. Mr. Viswanathan, on instructions, has stated, and we take his statement on record, that beneficiaries under the PDS scheme, who opt for delivery of rations at their door steps, would have the option to once again opt out and go back to the fair price shops for collection of their rations at any time. The GNCTD should publicize, for the benefit of the beneficiaries under the PDS scheme, the essential terms and conditions of this order.

8. List on 27.10.2021 at 02:00 pm.

**VIPIN SANGHI, J**

**JASMEET SINGH, J**

**SEPTEMBER 27, 2021**

sr