

THE HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO

Writ Petition No. 37495 of 2015

Order:

The petitioner is assailing the order dated 24.07.2015 passed by the 4th respondent suspending his authorization pending enquiry into certain allegations levelled against him in respect of running a Fair Price Shop of which he has dealership authorization.

2. The petitioner contends that the suspension has continued beyond the period of 90 days and that this Court in **D. Sambasiva Rao v. Joint Collector, Guntur** and **M. Venkata Ramaiah v. Joint District Collector (CS), Anantapur District**, had observed that normally suspension pending enquiry of the authorization of the Fair Price Shop dealership ought not to extend beyond 90 days.

3. Learned Government Pleader for Civil Supplies, on instructions, states that the enquiry into the allegations against the petitioner has not been completed.

4. In the above decisions, this Court held that the maximum period of suspension of authorization of a Fair Price Shop dealership can only be 90 days.

5. Having regard to the above facts, the Writ Petition is allowed setting aside the order of suspension dated 24.07.2015 passed by

the 4th respondent against the petitioner suspending his Fair Price Shop dealership authorization, since the period of 90 days, which is a reasonable period for completing the enquiry, has expired. However, this will not preclude the 4th respondent from completing the enquiry into the charges levelled against the petitioner and passing appropriate orders thereon in accordance with law. No order as to costs.

6. As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

M.S. RAMACHANDRA RAO, J.

Date: 19.11.2015

Nsr