

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.8323 of 2015

ORDER:

Heard learned counsel appearing for the petitioner and learned Government Pleader for Civil Supplies appearing for respondents 1 to 3.

This Writ Petition is filed seeking to declare the action of the 2nd respondent in not conducting enquiry pursuant to the show cause notice dated 28.11.2014, as arbitrary and illegal.

Petitioner is the dealer of fair price shop No.35, Munagapadu Village, Phirangipuram Mandal, Guntur District. While so, on 17.11.2014, the Deputy Tahsildar, Tadikonda along with his staff inspected the fair price shop of the petitioner, verified the stock, found certain variations in the stock and sent report to the 2nd respondent. Based on the said report, the 2nd respondent issued show cause notice dated 28.11.2014 to the petitioner, for which, he submitted his explanation. Without considering the explanation submitted by the petitioner, the 2nd respondent suspended the authorization of the petitioner *vide* proceedings dated 26.12.2014. Feeling aggrieved, the petitioner filed an appeal along with stay application before the Joint Collector on 7.1.2015. But, so far, no orders have been passed either in the appeal or in the stay application.

Learned counsel appearing for the petitioner submits that while passing the suspension order, the 2nd respondent has not taken into consideration the explanation submitted by the petitioner.

On the other hand, learned Government Pleader for Civil Supplies submits that since the order of suspension was passed pending enquiry, it does not require any interference.

Considering the submissions made by the learned counsel on either

side, the Writ Petition is disposed of directing the 2nd respondent to complete the enquiry and pass final order within a period of eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE R. KANTHA RAO

27th March, 2015

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