

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 16436 of 2015

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for the respondents.

2. The petitioner was appointed as a Fair Price Shop Dealer in respect of Shop No.130 of Fathenagar, Balanagar of Ranga Reddy District, and the authorization is valid up to 31.03.2015. While so, on 29.05.2015 the Assistant Supply Officer, Chevella, 4th respondent, inspected the shop and noticed that one Venkatesh was sitting and conducting the business instead of the authorized dealer Sri G. Mahender. The 4th respondent accordingly conducted a panchnama and noted the quantities. 6-A proceedings are also initiated against the petitioner. Based on the report of the 4th respondent dated 03.06.2015, the 2nd respondent passed the impugned order on 06.06.2015 suspending the authorization of the petitioner, on the ground that the shop is being run by a benami person by name A. Venkatesh. Challenging the said order, the present writ petition is filed.

3. Now the ground alleged is that the shop is being run by a benami person instead of by the authorized dealer. The said allegation can be verified even without suspending the authorization of the petitioner. Admittedly, 6-A proceedings are pending against the petitioner. In the circumstances, the impugned order passed by the 2nd respondent to the extent of suspending the authorization of the petitioner is set aside, but however, giving liberty to the 2nd respondent to proceed against the petitioner with respect to the allegations and complete the enquiry within a period of three months from the date of receipt of a copy of the order after duly observing the principles of natural justice and binding decisions of this Court.

4. The Writ Petition is accordingly disposed of. Miscellaneous petitions, if any, pending in the writ petition shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

11th June, 2015

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