

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI
SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT APPEAL No. 319 of 2015

DATE: 22.04.2015

Between:

Kondamala Rebca,
Prakasam District.

... Appellant

And

The State of Andhra Pradesh,
Rep. by its Principal Secretary, Civil Supplies Department,
Secretariat, Hyderabad and others

... Respondents

This Court made the following:

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI
SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

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Judgment: (per the Hon'ble The Chief Justice Sri Kalyan Jyoti Sengupta)

This appeal is sought to be preferred against the order of the Hon'ble Trial Judge, who has disposed of the writ petition directing the appellate authority to dispose of the appeal itself within eight weeks from the date of receipt of a copy of the order. The impugned order was passed on 20.03.2015.

The grievance before the learned Trial Judge in the writ petition was that the interlocutory application filed along with the appeal by the writ petitioner under the statute before the Civil Supplies Department was not considered by the respondent authority concerned.

The writ petitioner-appellant was a fair price shop dealer and after holding enquiry her dealership was cancelled. Against this order, an appeal was preferred before the Department. The grievance of the writ petitioner was that the appellate authority should have disposed of the interlocutory application.

The learned Trial Judge, in our view, has granted the correct relief, instead of deciding the matter in piece meal, as he has thought it fit to direct the authority concerned to dispose of the appeal expeditiously.

The learned counsel for the appellant argues on the merit as

to sustainability of the order of cancellation of dealership. He cannot do so in this appeal since the learned Trial Judge has considered the issue raised in the writ petition and passed appropriate orders in the writ petition. We do not find any substance in this appeal.

We dismiss the appeal accordingly.

Pending miscellaneous applications, if any, shall also stand dismissed. No order as to costs.

K.J. SENGUPTA, CJ

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SANJAY KUMAR, J

Date: 22.04.2015

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