

IN THE HIGH COURT OF JUDICATURE; AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WRIT PETITION No. 31247 of 2013

BETWEEN

D.Balaiah

...Petitioner

And

The State of Andhra Pradesh,
Rep. by its Principal Secretary (Civil Supplies),
Secretariat, Hyderabad and ors.

...Respondents.

DATE OF JUDGMENT PRONOUNCED: 12.08.2015.

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

1. Whether reports of Local newspapers
may be allowed to see the judgments?
YES/NO
2. Whether the copies of judgments may be
marked to Law Reporters/Journals.
YES/NO

3. Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment ?
YES/NO.

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 31247 of 2013

ORDER:

Heard learned Counsel for the petitioner, learned Government Pleader for Civil Supplies and learned Counsel for the impleaded respondents.

The petitioner was appointed as Fair Price Shop Dealer for Shop No. 21 of Krishnapur village, Kalher Mandal, Medak District. It appears that pursuant to the report submitted by the Assistant Supply Officer, Sangareddy on 7.10.2013, the third respondent suspended the authorization of the petitioner by order dated 11.10.2013 pending enquiry. Challenging the same, the present Writ Petition is filed.

This Court by order dated 31.10.2013 while admitting the Writ Petition granted interim direction directing respondents 3 and 4 to release the stocks of essential commodities to the petitioner by suspending the proceedings dated 11.10.2013. By virtue of the said order, the petitioner has been continued as Fair Price Shop Dealer as of today.

A counter affidavit is filed on behalf of the official respondents.

Admittedly enquiry initiated against the petitioner in

respect of the allegations levelled against him is pending before the third respondent. The petitioner has already submitted his explanation. Since the enquiry initiated against the petitioner is pending, this Court is not inclined to go into merits or otherwise of the subject matter at this stage. However, having regard to the facts and circumstances of the case, the third respondent is directed to complete the enquiry by giving due opportunity to the petitioner and pass final order within a period of sixty days from the date of receipt of a copy of this order. The interim order passed by this Court on 31.10.2013 shall continue till the orders are passed by the third respondent.

At this point of time, the learned Counsel for the impleaded respondents seeks permission of this Court to refer the case of the impleaded respondents to the third respondent for consideration in the enquiry to be conducted by him. It is needless to observe that the case of the impleaded respondents/cardholders should also be heard by the third respondent during the course of conducting enquiry initiated in respect of the allegations levelled against the petitioner.

Subject to the above, the Writ Petition is disposed of. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE A. RAMALINGESWARA RAO

DATED 12th August, 2015.
Msnr_x