

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.27577 of 2015

ORDER:

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

The petitioner was appointed as Fair Price Shop Dealer for shop No.7, Yeguvacherlopalli Village, Dornala Mandal, Prakasam District.

The petitioner distributed the essential commodities for the month of July, 2015. On 06.07.2015, the Vigilance and Enforcement Officer, Ongole, Prakasam District inspected the shop and noticed some variation in the quantities. Based on the said variation, disciplinary proceedings were initiated and they are pending with the 2nd respondent. The 3rd respondent was issued a show cause notice on 13.07.2015 framing 4 charges against the petitioner and the petitioner has submitted his explanation on 21.07.2015. After receipt of the explanation, an order of suspension was passed on 03.08.2015. Challenging the same, the present writ petition is filed.

This Court carefully perused the impugned order of suspension, which detailed the charges levelled against the petitioner. The first charge relates to variation in stock of rice and Redgram. Variation is found to be marginal in respect of rice and in respect of redgram stock, there is 29 kgs variation. Rest of 3 charges are technical charges.

In the circumstances, this Court feels that the suspension of

authorization of the petitioner is not warranted and accordingly the impugned order dated 3.8.2015 to the extent of suspending the authorization of the petitioner is set aside. However, the 3rd respondent is directed to conduct an enquiry in respect of allegation levelled against the petitioner and pass final orders within a period of three (03) months from the date of receipt of a copy of this order after giving due opportunity to the petitioner. In view of the order passed by this Court in this case, the appeal preferred by the petitioner to the 2nd respondent becomes infructuous.

Accordingly, the writ petition is allowed to the extent indicated above. There shall be no order as to costs. As a sequel, miscellaneous petitions, if any pending in this writ petition, shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 02.09.2015

gvl