

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

Writ Petition No.941 of 2015

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ORDER:

The petitioner is a dealer of Fair Price Shop No.14 of Kanaparthi Village, Chennuru Mandal, Kadapa District. On noticing four specific irregularities, he was given a show-cause notice on 30.12.2014. The petitioner filed his explanation on 31.12.2014 generally denying the allegations. After examining the same, the order impugned is passed by the 2nd respondent cancelling the authorization of the petitioner. The said order is questioned in this writ petition.

Though the learned counsel for the petitioner tried to justify the maintainability of the writ petition, I am not prepared to accept the said contention, as the petitioner has an efficacious alternative remedy and addition to that, I find that the explanation submitted by the petitioner to the show-cause notice is too general and he has not stated specifically with respect to each of the charges framed against him. As a dealer, the petitioner was required to submit his explanation with respect to each of the charges, so as to enable the 2nd respondent to consider his explanation. In the absence of any proper explanation, therefore, the 2nd respondent passed the impugned order.

However, as the learned counsel for the petitioner stated that the petitioner is continuing as a dealer as on today, I deem it appropriate to dispose of the writ petition by giving liberty to the petitioner to approach appellate authority against the order impugned, within a week from today, and seek appropriate final as well as interim relief. To enable the petitioner to avail the said appellate remedy, status-quo existing as on today shall be maintained for a period of one week and thereafter, the petitioner is at liberty to seek appropriate interim relief from the appellate authority. The petitioner is also at

liberty to seek appropriate permission from the appellate authority to file a detailed explanation at least before the appellate authority.

Accordingly, the writ petition is disposed of. No order as to costs.

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

VILAS V.AFZULPURKAR, J

Date: 23-01-2015

Note:

Issue C.C. in three days

(B/o)

Prv

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23-01-2015