

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.38307 OF 2015

ORDER :

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

2. The petitioner was appointed as a Fair Price Shop Dealer in respect of shopNo.520, Circle-V, Hyderabad. The authorization is valid up to 31.03.2015 and the petitioner had applied for renewal of the same within the prescribed time.

3. While so, based on the report of the Area Inspector, Circle-V dt.25.05.2015 alleging that the said shop is being run by a benami by name Mohd. Zaheer, the 2nd respondent issued show cause notice to the petitioner on 25.05.2015 calling his explanation within seven days. The 2nd respondent passed the impugned order on the very same day i.e., on 25.05.2015 suspending the authorization of the petitioner on the ground that the shop is being run by a benami person by name Mohd. Zaheer.

4. Challenging the said order, this Writ Petition is filed.

5. Now the ground alleged is that the shop is being run by a benami person instead of an authorized dealer. The said allegation can be verified even without suspending the authorization of the petitioner.

6. 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.

7. The Writ Petition is accordingly disposed of. There shall be no order as to costs.

8. Consequently, Miscellaneous Petitions pending if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

25th November, 2015.

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