

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.35244 of 2015

ORDER:

Heard the learned counsel for petitioners and the learned Government Pleader for Civil Supplies for respondents.

2. The petitioner is a fair price shop dealer of shop No.20 of Ankabhupalpuram Village, Valetivari Palem Mandal, Prakasam District. On 19.08.2014, the Food Inspector, Kandukuru inspected the shop of the petitioner and noticed certain variations in the quantities of rice and sugar. On the report of the Food Inspector, the authorization of the petitioner was suspended on 08.09.2014 and, challenging which, the petitioner filed W.P.No.27834 of 2014. This Court, by its order dated 18.09.2014, disposed of the said Writ Petition directing the third respondent to complete the enquiry, while suspending the order of suspension of authorization. Now the enquiry is completed and a final order of cancellation of authorization of the petitioner was passed on 05.10.2015. Challenging the same, the petitioner preferred an appeal to the second respondent and it is pending. Challenging the order of cancellation of authorization, the present Writ Petition is filed.

3. In view of the pendency of the appeal before the second respondent, this Court is not inclined to interfere with the said appeal or examine the validity of the order passed by the third respondent canceling the authorization. However, by virtue of the order of this Court in W.P.No.27834 of 2014 dated 18.09.2014, the petitioner has been continuing as a fair price shop dealer till passing of the order of cancellation of authorization on 05.10.2015.

4. In the circumstances, it is just and equitable that the petitioner shall continue as a fair price shop dealer till disposal of the appeal by the second respondent filed against the order of the third respondent dated 05.10.2015.

5. Accordingly, this Writ Petition is disposed of. No order as to costs.
Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 29.10.2015

TJMR