

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.21441 of 2015

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies and, with their, consent the Writ Petition is being disposed of at the admission stage.

The petitioner was appointed as a fair price shop dealer of F.P.Shop No.3112, Raghavapeta Village, Mallapur Mandal, Karimnagar District. While so, on 11.05.2015, the third respondent came to the shop, inspected the same and found variation in stock, as a result of which, 6A proceedings were initiated and are pending. The second respondent issued the show cause notice dated 23.05.2015, followed by proceedings dated 20.06.2015, suspending the authorization, until the outcome of 6A proceedings, pending against the petitioner. Challenging the same, the present Writ Petition is filed.

A perusal of the impugned order of suspension dated 20.06.2015 shows the following allegations:

1. The F.P.Shop dealer not recorded the kerosene receipts and destitution particulars in the stock register for the month of January, 2015, February, 2015 and April, 2015.
2. On enquiry with cardholders, the fair price shop is not maintaining proper timings.
3. The FP Shop dealer is not displayed the name board of FP Shop.
4. The FP dealer is not displayed the stock cum price list.

A reading of the above allegations discloses that the allegations are technical in nature and there is no allegation with regard to variation in quantities. In the circumstances, the suspension of authorization is not warranted and the impugned order dated 20.06.2015, suspending the authorization of the

petitioner, pending 6A proceedings, is set aside. However, liberty is given to the second respondent to conduct an enquiry into the allegations, and complete the same, in accordance with law, after giving due opportunity to the petitioner, within a period of three months from the date of receipt of a copy of this order.

The Writ Petition is allowed to the extent indicated above.

As a sequel thereto, miscellaneous applications, if any, also stand disposed of. No order as to costs.

A. RAMALINGESWARA RAO,J

Date:13.07.2015

usd