

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.6715 of 2015

ORDER:

Heard learned counsel appearing for the petitioner and learned Government Pleader for Civil Supplies appearing for respondents 1 to 4.

This Writ Petition is filed seeking to declare the action of the 3rd respondent in suspending the authorization of the petitioner, as arbitrary and illegal.

By order dated 14.3.2015, the 3rd respondent-Sub Collector, Kandukur, cancelled the authorization of the petitioner on the allegation that he has committed certain irregularities in running the fair price shop.

Learned counsel appearing for the petitioner submits that based on the report of the Food Inspector, the 3rd respondent without conducting any enquiry, as contemplated under the Control Order, cancelled the authorization of the petitioner.

Against the cancellation of the authorization, an appeal is pending before the 2nd respondent-Collector (CS). In similar circumstances, this Court in W.A.No.1346 of 2014 held as under:

“We accordingly modify the impugned order of the learned trial Judge in the manner as follows:

“The interlocutory application filed by the writ petitioner before the revising authority, if not disposed of

by this time, should be disposed of within fortnight from the date of communication of this order and the other directions of the learned trial Judge in the impugned order for disposal of the revision shall remain as it is. However, the order to the extent of granting suspension of the proceedings dated 22.07.2014 is set aside. It will be open for the revising authority to decide the Interlocutory Application without being swayed and influenced by the directions of the learned trial Judge. We hope that the time schedule fixed by us as well as the learned trial Judge shall be adhered to by the revising authority.

The writ appeal is accordingly disposed of.”

Under these circumstances, without going into the merits of the case, the Writ Petition is disposed of directing the second respondent to dispose of the appeal within a period of eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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

JUSTICE R. KANTHA RAO

17th March, 2015

*Note: Issue CC by one week.
(B.O) rkk*

