

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.443 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 2nd respondent in not disposing of the appeal dated 11.10.2014 filed by the petitioner as arbitrary and illegal.

The petitioner was appointed as fair price shop dealer for shop No.8, Diddekunta Village, Simhadripuram Mandal, YSR District, on permanent basis in 1994. Thereafter, authorization was issued in his favour and the same has been renewed from time to time. The 3rd respondent issued show cause notice dated 22.09.2014 to the petitioner as to why the authorization issued in his favour shall not be cancelled as he is distributing the essential commodities to the card holders through benami dealer, which is contrary to the provisions of the Andhra Pradesh State Public Distribution System (Control) Order, 2008, for which the petitioner submitted his explanation. Without considering the same, 3rd respondent has cancelled the authorization of the petitioner. Challenging the same,

the petitioner filed an appeal along with stay application before the 2nd respondent on 3.11.2014.

Learned counsel appearing for the petitioner submits that though two months time has elapsed, the 2nd respondent has neither passed any orders on the stay application nor disposed of the appeal.

Having regard to the said submission and considering the facts and circumstances of the case, the 2nd respondent is directed to dispose of the appeal within a period of six weeks from the date of receipt of a copy of this order. Till such time, the respondents are directed to continue the petitioner as fair price shop dealer subject to result of the appeal.

With the above direction, the Writ Petition is disposed of at the stage of admission. There shall be no order as to costs.

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

JUSTICE R. KANTHA RAO

20th January, 2015
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