

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 18775 of 2015

ORDER:

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

2. The petitioner is a Fair Price Shop Dealer in respect of Shop No.701 of Subhash Chandrabose Nagar, Shapur Nagar, Balanagar Mandal, Ranga Reddy District and the authorization is valid up to 31.03.2017. While so, on 27.05.2015 the Assistant Supply Officer, Circle No.1, Balanagar, inspected the shop and noticed that a benami person was sitting and conducting the business instead of the authorized dealer. He accordingly conducted a panchnama and noted the quantities. Based on the report of the Assistant Supply Officer dated 03.06.2015, the 3rd respondent passed the impugned order on 09.06.2015 suspending the authorization of the petitioner, on the ground that the shop is being run by a benami person by name G. Upender. Challenging the said order, the present writ petition is filed.

3. Now the ground alleged is that the shop is being run by a benami person instead of by the authorized dealer. The said allegation can be verified even without suspending the authorization of the petitioner. In the circumstances, the impugned order passed by the 3rd respondent to the extent of suspending the authorization of the petitioner is set aside, but however, giving liberty to the 3rd 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 the binding decisions of this Court.

4. The Writ Petition is accordingly disposed of. Miscellaneous petitions, if any, pending in the writ petition shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

25th June, 2015

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