

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.6961 of 2015

ORDER:

Heard learned counsel appearing for the petitioner and learned Government Pleader for Civil Supplies appearing for respondents 1 to 3.

This Writ Petition is filed seeking to declare the action of the 2nd respondent in issuing notification dated 2.3.2015, as arbitrary and illegal.

The petitioner is the dealer of fair price shop No.4, Bukkarayasamudram Village and Mandal, Anantapur District and his authorization is valid till 31.03.2015. While so, the 2nd respondent issued notification to fill up the post of dealer for the aforesaid fair price shop. Challenging the impugned notification dated 2.3.2015 issued by the 2nd respondent, the present writ petition has been preferred by the petitioner.

Learned Government Pleader for Civil Supplies after obtaining instructions, submits that the petitioner tendered her resignation to the dealership of the aforesaid fair price shop due to ill health and the same was accepted by the 2nd respondent and that the impugned notification was issued to fill up the said vacancy.

Learned counsel appearing for the petitioner submits that the petitioner has never submitted any resignation.

Therefore, the Writ Petition is disposed of suspending the impugned notification dated 2.3.2015 and the respondents are directed to continue the petitioner as dealer for fair price shop No.4, Bukkarayasamudram Village and Mandal, Anantapur District, notwithstanding the fact of submitting the resignation. There shall be no order as to costs.

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

JUSTICE R. KANTHA RAO

19th March, 2015

*Note: Issue CC by Monday.
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