

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

—
WRIT PETITION No.13977 of 2015

ORDER:

The petitioner is a wholesale kerosene oil dealer of Ananthapuram District. While so, a panchanama was conducted by the inspecting officials alleging that the petitioner did not distribute 555 litres of kerosene to Thimma Reddy, a temporary fair price shop dealer of Yalagalavanka Village of Beluguppa Mandal in Ananthapuram District. Based on the same, proceedings under Section 6A of the Essential Commodities Act were initiated. The petitioner submitted explanation to the 6A proceedings. However, a show cause notice was issued to the petitioner on 02.02.2015 and the petitioner submitted the explanation on 13.02.2015. After considering the same, the Joint Collector passed an order on 08.04.2015 cancelling the licence of the petitioner. Against the same, the petitioner preferred an appeal to the second respondent, and the same is pending before the second respondent. When the appeal was not disposed of, the present Writ Petition is filed.

Learned Counsel for the petitioner tried to point out the lapses in the order of the third respondent, but this Court is not inclined to go into the merits of the case at this stage in view of the pendency of the appeal before the second respondent. From the papers filed along with the Writ Petition, it is clear that the appeal was filed on 23.04.2015, and the same is not disposed of by the second respondent.

In the circumstances, the Writ Petition is disposed of directing the second respondent to dispose of the appeal, within a period of thirty days from the date of receipt of a copy of this order and the petitioner shall cooperate for the disposal of the appeal. It is needless to mention that the second respondent shall follow due process of law while disposing of the appeal.

The Writ Petition is, accordingly, disposed of. The miscellaneous

petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

16.07.2015
vs