

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.2679 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 passing orders either on the stay petition or appeal, as arbitrary and illegal.

The authorization of the petitioner, who is the fair price shop dealer, was suspended on the allegation of committing certain irregularities. The main irregularity is that there is variation of

62 kgs of PDS rice, which according to the petitioner, is within the permissible limits. However, some other irregularities have also been pointed out against the petitioner. Challenging the order suspending the authorization of the petitioner, he filed W.P.No.26097 of 2014. Learned Single Judge of this Court while setting aside the impugned order, permitted the 4th respondent therein to conduct enquiry and pass final orders. Thereafter, the 3rd respondent, after conducting enquiry, *vide* order dated 20.10.2014 cancelled the authorization, against which, the petitioner preferred an

appeal along with stay petition before the 2nd respondent-Joint Collector, which is now pending. But, so far no orders have been passed either on the stay petition or appeal. Aggrieved thereby, the petitioner filed the present writ petition.

Since the appeal is pending before the 2nd respondent-Joint Collector, the writ petition is disposed of directing the 2nd respondent-Joint Collector to dispose of the appeal within a period of six weeks from the date of receipt of a copy of this order, failing which the authorization of petitioner shall stand restored. There shall be no order as to costs.

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

JUSTICE R. KANTHA RAO

10th February, 2015
rkk

