

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

-
HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

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WRIT APPEAL Nos. 858 and 860 OF 2015

Date: 15.09.2015

W.A.No.858 of 2015

Between:

The State of A.P., rep., by its Principal Secretary
(Civil Supplies), Hyderabad,
& others.

... Appellants

And

G. Durga Srinivas Rao

... Respondent

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE S.V. BHATT**

WRIT APPEAL Nos. 858 and 860 OF 2015

PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the parties.

These writ appeals are directed against the common order, dated 07.08.2015, passed in W.P.No.30126 of 2014 and the companion petitions. In the writ petitions, the petitioners had challenged the proceedings, whereby their authorizations (FPS) were cancelled. The challenge was based on the allegation that the orders of cancellation were passed without conducting an independent enquiry. It appears that learned Single Judge allowed all the writ petitions and remanded the matters to the concerned authority with a direction to follow the principles of natural justice for conducting the enquiry and for passing orders of cancellation, if any, of authorization. Learned Judge has observed that the record indicates that due procedure was not followed by the officers while canceling the authorizations for the alleged violations/irregularities committed by the petitioners.

Having regard thereto, when we expressed that these writ appeals can be disposed of by the order that we propose to pass, learned counsel for the parties have agreed for the same. Hence, we dispose of these writ appeals by the following order:

“1. The concerned Revenue Divisional Officer shall conduct the enquiry as directed in the impugned order as expeditiously as possible and preferably within a period of two months from today.

2. Learned counsel for the appellants and the contesting respondents are directed to communicate this order to the concerned authority within a period of one week from today. Both the parties are directed to cooperate for completing the enquiry within the time frame.

3. Till the enquiry is conducted and completed and the outcome of the enquiry is communicated to the respondents-writ petitioners, the interim arrangements made by the concerned authorities for distribution of essential commodities shall remain operative.

4. It is needless to mention that the Revenue Divisional Officer shall communicate his order to the respondent-writ petitioners within ten days from the date of decision. All contentions of the parties on merits are kept open.

Miscellaneous petitions, if any, shall also stand disposed of.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

Date: 15.09.2015
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