

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 21018 of 2015

DATED 9th July, 2015

BETWEEN

Y.Gopi Krishna

...Petitioner

And

The State of Andhra Pradesh,
Civil Supplies Department,
Secretariat, Hyderabad, rep. by its
Principal Secretary, and ors.

....Petitioners.

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 21018 of 2015.

ORDER:

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

The petitioner was appointed as Fair Price Shop Dealer for Shop No. 22 of Polipalli Village, Bhogapuram Mandal, Vizianagaram District. On an earlier occasion, the authorization of the petitioner was suspended on 11.07.2014 and when the same was challenged in Writ Petition No. 4563 of 2015, this Court by order dated 26.2.2015 set aside the order of suspension and the third respondent was given liberty to proceed with enquiry. Pursuant to the said order of this Court, the third respondent issued proceedings dated 6.6.2015 for

restoration of the authorization of the petitioner while directing the fourth respondent to enquire into the allegations levelled against the petitioner and submit report. In view of the same, the third respondent issued show cause notice dated 17.6.2015 calling for explanation from the petitioner and the petitioner submitted his explanation on 30.6.2015. But without mentioning the said explanation and stating that the petitioner has not offered any explanation, the third respondent passed an order on 30.6.2015 cancelling the authorization of the petitioner. Against the same, the petitioner preferred an appeal to the second respondent on 3.7.2015 along with stay application. When no orders have been passed on the stay application, the present Writ Petition is filed.

In view of the pendency of the substantial appeal along with stay application filed by the petitioner, this Court is not inclined to examine the validity or otherwise of the impugned order dated 30.6.2015 passed by the third respondent. However, the second respondent is directed to consider the stay application filed by the petitioner along with the appeal on 3.7.2015 and dispose of the same, on merits, within a period of one week from the date of receipt of a copy of this order by affording an opportunity of hearing to the petitioner.

The Writ Petition is disposed of. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

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JUSTICE A.RAMALINGESWARA RAO

Dated 9th July, 2015.
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