

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 29464 of 2015

DATED 10th September, 2015

BETWEEN

Mohd. Sajjad

...Petitioner

And

The State of Telangana,
Rep. by Commissioner, Civil Supplies Department,
Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 29464 of 2015

ORDER:

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

The petitioner was appointed as a temporary Fair Price Shop Dealer through proceedings dated 14.6.2013 when the authorized dealer of Shop No. 24 of Sirpur Kaghaznagar expired in the year 2010. Now compassionate appointment in respect of the said fair price shop was made consequent to the application made by the fourth respondent in the month of August, 2015. The present Writ Petition is filed challenging the said compassionate appointment.

The order of appointment of the petitioner dated 14.6.2013 makes it clear that the petitioner was appointed on his request and it was clearly mentioned as purely temporary

and the same can be terminated at any time without issuing notice. The fourth respondent submitted his application on 19.1.2015 and 25.1.2015 stating that his father who worked as Fair Price Shop Dealer expired and in view of financial hardship of his family, he may be appointed as Fair Price Shop Dealer on compassionate grounds. The case of the fourth respondent was considered after receiving a report from the Tahsildar wherein it was noticed that the dealer expired on 21.5.2010 leaving behind five family members. In those circumstances, the fourth respondent was appointed in the place of the deceased authorized dealer in terms of G.O.Ms.No. 4, dated 28.02.2015. Such compassionate appointment cannot be challenged by a temporary dealer and therefore the Writ Petition fails and is accordingly dismissed at the admission stage.

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

JUSTICE A. RAMALINGESWARA RAO

DATED 10th September, 2015.

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