

THE HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

W.P.No.15665 of 2015

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ORDER

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Heard learned counsel for the petitioner, learned Government Pleader for Civil Supplies for respondents 1 to 4 and Sri Ashok Goud, learned counsel for respondent No.5.

2. The petitioner was appointed as fair price shop dealer of shop No.20 of Nehrunagar Thanda Village, Durgi Mandal, Guntur District. When the authorization of the petitioner was suspended on 03.11.2014, the petitioner filed W.P.No.35062 of 2014. When it was brought to the notice of this Court that the third respondent withdrew the impugned order in the said writ petition, this Court disposed of the said writ petition on 24.11.2014 as infructuous. However, the petitioner submits that the proceedings under Section 6A of Essential Commodities Act were issued against him without conducting any panchanama and the 4th respondent, who has no jurisdiction, passed the impugned order on 15.05.2015. Challenging the same, the present writ petition is filed.

3. It is admitted by all the parties that the 4th respondent has no jurisdiction to pass the impugned order keeping the dealership of the petitioner under suspension pending ratification orders from the third respondent. However, learned counsel for the 4th respondent submits that since in-charge arrangements are made, the 4th respondent received the stock for the month of June, 2015. The interim arrangements made for the month of June, 2015 shall not be disturbed.

4. In the circumstances, the Writ Petition is allowed, by setting aside the

impugned order of the 4th respondent dated 15.05.2015 and respondents 3 and 4 are directed to supply the stock to the petitioner from July, 2015 onwards if the authorization of the petitioner is valid and in force. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

A. RAMALINGESWAR RAO, J

15th June, 2015

sj