

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 6269 of 2015

ORDER:

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

2. The petitioner was appointed as a Fair Price Shop Dealer of Shop No.10, Pedda Alavalapadu Village, Pedda Cherlopalli Mandal, Kandukur Division, Prakasam District. His authorization is subsisting till 31.03.2016. It appears that based on the report dated 12.11.2014 submitted by the 5th respondent, the 3rd respondent issued a show cause notice on 27.12.2014 calling for an explanation from the petitioner. The petitioner submitted his explanation on 05.01.2015. 6-A proceedings are also pending against the petitioner. After considering the explanation submitted by the petitioner, the 3rd respondent passed an order dated 23.02.2015 cancelling the authorization. Challenging the same, the present writ petition is filed.

3. The learned counsel for the petitioner submits that the impugned order was passed by the 3rd respondent without properly considering the explanation and the gravity of the charge. But this Court is not inclined to consider the said statement at this stage, in view of existence of a remedy of appeal. The petitioner is entitled to raise all his objections in the proposed appeal against the impugned order.

4. The writ petition is disposed of giving liberty to the petitioner to file an appropriate statutory appeal within a period of 15 days from the date of receipt of a copy of this order and upon receipt of such appeal, the 2nd respondent shall pass orders on the appeal as expeditiously as possible preferably within a period of two (2) months from the date of filing of the appeal after hearing the petitioner and considering the record available.

5. The Writ Petition is accordingly disposed of. Miscellaneous petitions, if any, pending in the writ petition shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

5th June, 2015

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