

THE HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.9399 of 2015

Oral Order:

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

Pending renewal application filed by the petitioner seeking renewal of his authorization, the authorities did not supply the essential commodities to the petitioner and on that ground the petitioner filed W.P.No.33731 of 2014 before this Court and this Court by its order dated 11.11.2014 in W.P.No.33731 of 2014 directed the authorities to supply essential commodities to the petitioner's fair price shop. Now the authorization of the petitioner was cancelled by the impugned order dated 28.2.2015 on the ground that during the course of inspection variation in the stock of rice was found. The impugned order clearly shows that the petitioner was supplied Q.57.23 kgs and the variation was only minus 15 kgs. No other irregularity is noticed even according to the impugned order. This Court normally will not interfere with the order of suspension of authorization pending enquiry by the appointing authority, but for minor variations which are in permissible limits, the authorities shall not resort to suspend the authorization. Since the variation mentioned is within the permissible limits, I am of the view that suspension of the authorization is liable to be set aside.

In the circumstances, the writ petition is allowed by setting aside the impugned order dated 28.2.2015 passed by the 2nd respondent herein and restoring the authorization of the petitioner.

With the above directions, the writ petition stands allowed. Miscellaneous applications, if any, shall stand closed.

JUSTICE R. KANTHA RAO

Dated : 6.4.2015

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Note :
Issue cc in 3 days

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