

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 31885 of 2015

DATED 30th September, 2015

BETWEEN

Peddireddy Rama

...Petitioner

And

State of Andhra Pradesh, rep. by its

Principal Secretary, Civil Supplies Department,

Secretariat, Hyderabad and ors.

....Respondents.

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 31885 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. 25 of Koru Uppalapadu Village, Kondepi Mandal, Prakasam District on permanent basis. It appears that on 11.08.2015 the Food Inspector, Kandukur along with his staff

inspected the fair price shop of the petitioner and submitted a report on 12.08.2015 to the third respondent, who based on the same, issued a show cause on 22.08.2015 alleging two irregularities against the petitioner. The petitioner submitted a petition on 7.9.2015 to the third respondent requesting time for submission of her explanation. However, the third respondent by proceedings dated 5.9.2015 suspended the authorization of the petitioner. Challenging the same, the petitioner preferred an appeal to the second respondent on 19.9.2015 along with stay application. When no orders are passed on the stay application, the present Writ Petition is filed.

From the narration of the above facts, it is clear that against the order of the third respondent dated 5.9.2015, the petitioner preferred an appeal to the second respondent on 19.9.2015. Along with the said appeal, the petitioner also filed stay application. Since the appeal filed by the petitioner is pending consideration before the second respondent, this Court is not inclined to go into the merits or otherwise of the subject matter. In the circumstances, the second respondent is directed either to consider the stay application or dispose of the appeal itself preferred by the petitioner against the order dated 5.9.2015 of the third respondent, on merits and in accordance with law, within a period of sixty days from the date of receipt of a copy of this order by giving due opportunity to the petitioner to represent her case.

Subject to the above, the Writ Petition is disposed of 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 30th September, 2015.

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