

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.24678 of 2015

ORDER:

The petitioner was appointed as Fair Price Shop Dealer in respect of Shop No.30 of Pinnelli Village, Machavaram Mandal, Guntur District. According to the petitioner, his authorization is in subsistence. While so, on an earlier occasion, the 2nd respondent suspended the authorization of the petitioner by proceedings, dated 25.08.2014, enclosing a charge memo. However, the said charge memo was served on the petitioner on 22.10.2014. The petitioner submitted his explanation on 24.10.2014 and the order of suspension was challenged by filing W.P.No.34816 of 2014 before this Court. When the 2nd respondent came to know about filing of the Writ Petition, he passed an order, dated 18.11.2014, withdrawing the orders, dated 25.08.2014. In view of the same, the Writ Petition was disposed of as infructuous on 20.11.2014 and the stock was consequently supplied from December, 2014 to April, 2015 and thereafter it was stopped. In those circumstances, the present Writ Petition is filed.

Learned Government Pleader for Civil Supplies, on the basis of instructions, submits that a separate show cause notice was issued in favour of the petitioner.

It is needless to state that so long as the authorization of the petitioner is in force, he is entitled to supply of stock for onward distribution to the cardholders in the absence of order of suspension or cancellation of his authorization.

The Writ Petition is accordingly disposed of. However, this order will not preclude the 2nd respondent from conducting enquiry in respect of the irregularities, if any, alleged against the petitioner. There shall be no order as to costs.

The miscellaneous petitions pending, if any, shall stand closed.

A. RAMALINGESWARA RAO, J

Date:24.08.2015

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