

**THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA
RAO**

W.P.No.39753 of 2015

ORDER:

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

2. The grievance of the petitioner is that the petitioner's fair-price-shop dealership authorization has been suspended on 17-11-2015 by 3rd respondent pursuant to certain discrepancies in stock allegedly noticed during an inspection held on 07-11-2015 by the Vigilance and Enforcement officials at Karimnagar. Petitioner contends that petitioner has valid explanation to justify the conclusion that the petitioner is not guilty of the violation of the Andhra Pradesh State Public Distribution System (Control) Order, 2008; that the petitioner had earlier approached the Court since the commodities were not being supplied to him even when his authorization was in force and this Court on 17-11-2015 in W.P.M.P.No.47992 of 2015 in W.P.No.37287 of 2015 granted an interim order; and that after the said order was passed, the impugned order of suspension of the petitioner's fair-price-shop dealership authorization was passed by 3rd respondent by ante dating it.

3. These contentions are denied by the learned Government Pleader for Civil Supplies.

4. Having regard to the fact that the show cause notice along with the suspension order was also issued on 17-11-2015 and since *prima facie* the contents of the show cause notice indicate certain variations, I am not inclined to express any opinion on the issue as to whether the petitioner has committed any irregularity or illegality since an enquiry under Section 5 (5) of the Andhra Pradesh State Public Distribution System (Control) Order, 2008 has to be conducted by 3rd respondent in which truth or otherwise of the allegations against the petitioner will be determined.

5. Therefore, the 3rd respondent is directed to complete the enquiry into the allegations against the petitioner on or before 29-02-2016 in compliance with the principles of natural justice and pass a reasoned order in the matter.

6. The Writ Petition is disposed of accordingly.
No costs.

7. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 17-12-2015

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