

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

* * * *

WRIT PETITION No.34554 of 2015

Between:

Eluka Vijaya.

....Petitioner

and

The State of Andhra Pradesh,

Rep.by the Principal Secretary (Civil Supplies),

Secretariat, Hyderabad,

And others.

....Respondents

JUDGMENT PRONOUNCED ON : 14.10.2015

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO :

1. Whether Reporters of Local newspapers : Yes
may be allowed to see the Judgments?

2. Whether the copies of judgment may be : No
Marked to Law Reporters/Journals?

3. Whether Their Ladyship/Lordship wish to : No

see the fair copy of the Judgment?

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.34554 of 2015

ORDER:

The petitioner was appointed as a fair price shop dealer of Shop No.7, Janakapur Village, Bheemini Mandal in Adilabad District. The authorisation of the petitioner is valid up to 31.03.2016. The shop of the petitioner was inspected on 15.09.2015 and some variation in the stock was noticed. In respect of the same, 6A proceedings were initiated and they are pending. On the ground that 6A proceedings are pending, the authorisation of the petitioner was suspended by the third respondent by proceedings dated 08.10.2015. Challenging the same, the present Writ Petition is filed.

The third respondent did not issue any show cause notice and no proceedings were taken up by the third respondent. If the third respondent wants to take up the disciplinary proceedings against the petitioner, the third respondent has to issue a show cause notice, invite explanation and pass an order after conducting enquiry. The third respondent should have seen that pendency of 6A proceedings are different from disciplinary proceedings.

In the circumstances, the Writ Petition is disposed of directing the third respondent to take up the proceedings in accordance with law, if he wants to take up any disciplinary proceedings or otherwise restore the authorisation of the petitioner. If the third respondent wants to take up the disciplinary proceedings, it is needless to state that those proceedings shall be completed within a period of three months from the date of receipt of a copy of this order. The miscellaneous petitions pending in this Writ Petition, if any, shall stand

closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

14.10.2015

vs

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