

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.22757 of 2016

ORDER:

Suspension pending enquiry order dated 22.06.2016 passed by the 3rd respondent-Revenue Divisional Officer is challenged in this writ petition.

As can be seen from the averments of the affidavit filed in support of the writ petition, petitioner is the Fair Price Shop dealer in respect of shop No.20 at D.No.2-45, Kundellabai Thanda, Hamlet Village of Cherukupalli, Gundlapalli Mandal of Nalgonda District, and she has been running the same since 20 years. While so, on 18.03.2016 the Deputy Tahasildar inspected the shop of the petitioner and found 120 Ltrs. of kerosene in excess. Accordingly a report was submitted to the 3rd respondent. Basing on said report, the 3rd respondent issued show cause notice No.C/769/2016 dated 24.03.2016 to the petitioner directing to submit her explanation for which petitioner submitted her explanation on 21.04.2016. However, without considering the same, the impugned order has been passed. Hence, this writ petition.

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Civil Supplies.

The explanation of the petitioner to the show cause notice is that the left over stock in the month of March, 2016, was not recorded inadvertently, as otherwise there is no variation at all.

Having considered by the submission of the learned counsel for the petitioner, as it is a matter for verification *vis-à-vis* and the impugned order being an order during suspension pending enquiry, there is no need for this Court to interfere.

Hence, the writ petition is disposed of with a direction to the 3rd

respondent to complete enquiry after taking into consideration the explanation submitted by the petitioner within four weeks from the date of receipt of a copy of this order. However, as the petitioner had already submitted her explanation and there being only one allegation of holding excess stock of 120 ltrs. of kerosene, the enquiry be limited to verification of record and explanation of the petitioner. If enquiry is not completed and no orders are passed within four weeks, the authorization of the petitioner stands restored.

Miscellaneous Petitions pending in this writ petition, if any, shall stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

15th June, 2016
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