

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.17722 OF 2016

ORDER:

The grievance of the petitioner is that he was entrusted with Shop No.35, as a temporary measure, in addition to the dealership which he is originally authorized *i.e.*, with respect to Shop No.38 of Pochampad Village, Balkonda Mandal of Nizamabad District and, on inspection, certain irregularities were being noticed with respect to Shop No.35, issued notice. Strangely, for the alleged irregularities, which were found with respect to conducting of business in Shop No.35, his authorization with respect to both Shop Nos.35 and 38 is suspended.

It is the submission of learned counsel for the petitioner that the said action is unauthorized.

Heard the learned counsel for the petitioner.

The facts are not in dispute. The show-cause notice dated 19.04.2016 issued is in relation to Shop No.35; wherein, two charges were framed against the petitioner with respect to the same: one charge is relating to making of a false entry and the second charge is in relation to his entrusting the shop to a third party without running the same by himself. But there are no allegations with regard to the irregularities noticed with respect to authorization of Shop No.38.

If at all the petitioner is found to be guilty of the charges framed in terms of the show-cause notice dated 19.04.2016, the respondents-authorities are entitled to take action against the petitioner only with respect to Shop No.35, which the petitioner is running on temporary basis. The authorization granted to the petitioner with respect to Shop No.38 is independent and unconnected with Shop No.35 and in the absence of any specific show-cause notice having been issued

against the petitioner with respect to Shop No.38, authorization of Shop No.38 cannot be suspended. Accordingly, the Writ Petition is allowed setting-aside the impugned suspension order. No order as to costs.

However, setting-aside of the impugned suspension order cannot be construed as restricting the respondents-authorities from conducting enquiry and passing appropriate orders in relation to Shop No.35, for which a show-cause notice has already been issued.

In consequence, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

CHALLA KODANDA RAM, J

Date: 07-06-2016.

Dsh

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

04072016

WRIT PETITION No.17722 OF 2016

Date. 07-06-2016

DSH