

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.12388 OF 2016

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ORDER:

This petition is filed for a writ of *Mandamus* declaring the action of the 2nd respondent in not considering and passing orders in the Appeal and Stay petition filed by the petitioner on 24.03.2016 and the action of the 3rd respondent in issuing proceedings dated 29.02.2016, suspending the FP shop dealership authorization of the petitioner in respect of Shop No.10, Indlacheruvu Village, Donakonda Mandal, Prakasam District as arbitrary and illegal and for a consequential direction to set aside the order of the 3rd respondents dated 29.02.2016 and direct the respondents to restore FP shop dealership of the petitioner.

The case of the petitioner is that he was appointed as Fair Price Shop dealer in respect of Fair Price Shop No.10, Indlacheruvu Village, Donakonda Mandal, Prakasam District and his fair price shop authorization was suspended by the 3rd respondent vide proceedings in Rc.No.F/297/2016, dated 29.02.2016. Challenging the same, petitioner filed statutory appeal before the 2nd respondent on 24.06.2016 under clause 20 of the Andhra Pradesh State Public Distribution System (control) Order, 2008, along with stay petition. But no orders are passed till today. Aggrieved by the same present writ petition is filed.

Learned counsel for the petitioner submits that since the E-Pass Biometric machine is not functioning, the petitioner distributed all the supplies to the cardholders without taking thumb impression of the cardholders and that the petitioner would substantiate his case by producing necessary material before the

appellate authority.

Heard learned Assistant Government Pleader for Civil Supplies.

Since statutory appeal is pending before the 2nd respondent, I deem it appropriate to direct the 2nd respondent to dispose of the appeal filed by the petitioner, within a period of eight (8) weeks from the date of receipt of a copy of this order. Till then, there shall be interim stay of proceedings issued by the 3rd respondent in Rc.No.F/297/2016, dated 29.02.2016.

With the above direction, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

13.04.2016

Note: Issue CC in three days.

B/o.tk