

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.10959 OF 2016

ORDER:

The writ petition is filed challenging the proceedings dated 11.02.2016 issued by the 4th respondent-R.D.O suspending the authorisation of the petitioner for running the fair price shop.

The learned counsel for the petitioner contends that the suspension pending enquiry appeared to have been done pending finalisation of 6A proceedings by the 3rd respondent-Joint Collector and it is the further contention of the learned counsel for the petitioner that the 6A proceedings are different from that of the proceedings that may be initiated by the 3rd respondent-Joint Collector under the A.P Public Distribution System (Control) Orders, 2008.

On the other hand, learned Government Pleader for Civil Supplies while opposing the writ petition submits that there is huge variation in the stock and this is not a fit case where interference is called for especially in a suspension pending enquiry cases.

Having considered the rival submissions and as can be seen from the allegations made against the petitioner, it is clear that the variations in the stock prima facie are beyond the permissible limit. Further, the suspension pending enquiry has been limited to 90 days and notice cannot be read as till the finalisation of 6A proceedings are over and both are being independent. At any rate, the interest of justice would be served if a direction is given to the 3rd respondent-Joint Collector to complete the enquiry in a time bound manner.

Accordingly, the writ petition is disposed of directing the 3rd respondent-Joint Collector to complete the enquiry and pass appropriate orders within a period of four weeks from the date of receipt of copy of the order after taking into consideration of the explanation submitted by the petitioner. However, it is needless to mention that the petitioner shall be given adequate opportunity of hearing and comply with the principles of natural justice. No order as to costs.

Miscellaneous petitions if any pending in this writ petition shall stand closed.

CHALLA KODANDA RAM, J

Dated:06.04.2016.

Note:

Issue CC in two days.

B/o.Gk

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