

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.44331 OF 2016

ORDER:

Heard Mr.Narasimha Rao Gudiseva for petitioner and Assistant Government Pleader for respondents.

The petitioner complains against continued suspension and failure of respondents in revoking the suspension order vide Ref.No.E232/2015 dated 19.02.2015 by the 3rd respondent, as arbitrary, illegal and unconstitutional.

The case of petitioner is that firstly he has not committed any violation, secondly the variation noticed which resulted in issuance of the communication dated 19.02.2015 is marginal, and thirdly the action initiated against the petitioner under Section 6-A of the Essential Commodities Act ended in his favour. The authority, it is alleged, has substantially looked into the variation complained against the petitioner and recorded favourable findings. The petitioner has submitted representation on 07.09.2016 and the 3rd respondent is not taking decision as is warranted in the fact situation of the case.

I have perused the material available on record and I am satisfied the writ petition can be disposed by giving liberty to petitioner to file a fresh representation before 3rd respondent by enclosing a copy of this order within two weeks from today. The 3rd respondent is directed to examine each one of the circumstances referred to by petitioner and take a final decision in file Ref.No.E232/2015 within eight weeks thereafter.

The writ petition is, accordingly, disposed of. There shall be no order as to costs.

Consequently, pending miscellaneous petitions, if any, also stand disposed of.

S.V.BHATT, J

20th December 2016

Lrkm

