

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.46155 of 2016

ORDER:

Petitioner challenges proceedings No.RC.DICS/2787/2016, dated 22.12.2016, suspending the authorization of petitioner for Fair Price Shop No.15 of P.Kondapuram Village, Pamidi Mandal, Ananthapuramu District.

Mr.I.Venkata Prasad, counsel for petitioner, tried to persuade this Court by drawing the attention to various factual and legal infirmities in the proceedings impugned in the writ petition.

This Court is of the view that the objections now raised by the petitioner need not be considered at this stage of the enquiry, for, the petitioner can submit explanation to respondent No.3 and respondent No.3, being the primary authority, this Court has no doubt, will examine the allegations, explanation and the material available on record in this behalf and take a decision as is warranted in the facts and circumstances of the case.

I am satisfied the writ petition can be disposed of by directing respondent No.3 to complete the enquiry and pass orders within eight weeks from the date of receipt of copy of this order. Respondent No.3 is also directed to keep in view the principles laid down by this Court in **G. DURGA SRINIVAS RAO vs. STATE OF**

ANDHRA PRADESH¹ and Circular issued by the Commissioner bearing CCS.Memo.No.21/100/2015-AD1.PP-CCS, dated 08.09.2015. If the enquiry, as directed by this Court, is not completed, the suspension effected through proceedings, dated 22.12.2016, shall be deemed to have been suspended by this Court and the respondents will continue to supply the essential commodities.

The writ petition is accordingly disposed of.

As a sequel, the miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

Dt:29.12.2016

kdl



S. V. BHATT, J

¹ 2015 (6) ALD 359