

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.43787 OF 2016

ORDER:

This Writ Petition is filed challenging the proceedings in RC.D1CS/2349/2016, dated 04.11.2016, whereby, the petitioner was issued show-cause notice – cum – order of suspension of his fair price shop authorisation.

Learned counsel for the petitioner submits that basing on the 6-A report, the petitioner's fair price shop authorisation was suspended, which is not permissible as per the Circular issued by the Civil Supplies Department and also as per the law laid down by this Court. He also submits that since the variations are very minor in nature, suspension pending enquiry is not warranted. It is also stated that the petitioner filed explanation to the show-cause notice, dated 04.11.2016.

Learned Government Pleader for Civil Supplies submits that since it is only suspension pending enquiry, after conducting enquiry, the authorities will pass final orders and since there are allegations against the petitioner, the suspension pending enquiry cannot be interdicted.

A perusal of the impugned order goes to show that charge Nos.1 and 4 are similar in nature. As per charge No.4, variation in stock is only 20 Kgs. of Rice and 2 Ltrs. of Kerosene.

In view of the same and since the petitioner submitted explanation to the show-cause notice, respondent No.2 is directed to complete the enquiry within a period of two weeks from the date of receipt of a copy of this order. Till the enquiry is completed, the impugned order of suspending the fair price shop authorisation held by the petitioner, remains suspended.

With the above direction, the Writ Petition is disposed of. Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand closed. There shall be no order as to costs.

December 16, 2016.
MD

A. RAJASHEKER REDDY, J

