

THE HON'BLE SRI JUSTICE M.S.K. JAISWAL

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WRIT PETITION No.16186 OF 2016
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ORDER:

This writ petition is filed by the petitioner seeking a writ of Mandamus declaring the action of respondents 3 and 4 in not supplying PDS stocks to F.P. Shop No.9, Sadashivpet Town and Mandal, Medak District for the month of May, 2016 and continue to supply the same, pending disposal of the appeal as illegal and arbitrary and further declaring that during the subsistence of authorization, the authorities are bound to supply PDS stock to his fair price shop and consequently direct the respondents to supply PDS stocks to the said fair price shop for the month of May, 2016 and continue the same pending disposal of the appeal before the 2nd respondent.

Heard Sri K. Raji Reddy, learned counsel for the petitioner and the learned Government Pleader for Civil Supplies (TG) appearing for respondents.

It is an admitted fact that aggrieved by the orders of suspension of the authorisation, the petitioner has preferred an appeal before the appellate authority, and the same is pending.

The grievance of the petitioner is that pending appeal, PDS stock is not being released to his fair price shop. So long as the pending appeal, the respondents cannot be denied release of PDS stock to the petitioner.

Hence, the writ petition is disposed of directing the respondents to release the stock to the petitioner till pending disposal of the appeal, subject to the condition on payment of restoration charges by the petitioner. No costs.

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

Date:19.05.2016
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JUSTICE M.S.K. JAISWAL