

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE P.NAVEEN RAO

W.A Nos.132, 133 and 134 of 2016

16.02.2016

W.A. No.132 of 2016

Between:
Kum. K.N. Mohana Priya,
Chittoor District.

... Appellant

And

B. Kavitha,
Chittoor District, and others.

... Respondents

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE P.NAVEEN RAO

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W.A Nos.132, 133 and 134 of 2016
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PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the parties.

In these writ appeals, the appellants have impugned the following order passed by learned Single Judge in writ petitions:

“Heard learned counsel for the petitioners and learned Government Pleader for the respondents.

2. All these cases relate to the challenge made to the notifications issued by the 2nd / 3rd / 4th respondents seeking to fill-up the posts of Fair Shop Dealers. This Court granted interim directions staying the further proceedings, pursuant to the notifications.

3. The learned Government Pleader produced before this Court the instructions issued to her stating that in view of preparation of permanent roster in respect of Chittoor/Madanapalli Revenue Divisions, the reservation has been changed which necessitates issuance of fresh notifications.

4. In that view of the matter, the impugned notifications in these writ petitions are set aside and liberty is given to the 2nd / 3rd / 4th respondents to issue fresh notifications, as per the permanent roster prepared by them.

All these Writ Petitions are accordingly allowed. Consequently, miscellaneous petitions, if any, pending in the writ petitions shall stand closed. There shall be no order as to costs.”

Learned Government Pleader, who appeared before learned Single Judge, submits that respondent Nos.2 to 4 have already filed Miscellaneous Petitions, being W.P.M.P.No.3735 of 2016 in

W.P.No.22206 of 2015; W.P.M.P.No.3472 of 2016 in W.P.No.21717 of 2015 and W.P.M.P.No.3737 of 2016 in W.P.No.22297 of 2015 seeking modification of the impugned order. In view of the fact that there is no change in the roster placement in respect of some shops and as the selections were already finalised in respect of those shops, which are not affected by the change in the roster system she has prayed in the Miscellaneous Petitions to continue the fair price shop dealerships already granted.

In view of the statement made by learned Government Pleader, learned counsel for the appellants does not press these appeals.

Appeals are disposed of as not pressed. Learned Single Judge is requested to consider and decide the Miscellaneous Petitions filed by respondent Nos.2 to 4 expeditiously.

Miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

P.NAVEEN RAO, J

Date: 16.02.2016

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