

HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

WRIT PETITION No.31196 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus challenging the proceedings No.B/ 2139/ 2016, dated 19.07.2016 issued by the third respondent as being illegal and arbitrary.

2. Heard Sri Bollam Lingaiah Yadav, learned counsel for the petitioner and the learned Assistant Government Pleader for Civil Supplies (Telangana) representing the respondents 1 to 4.

3. The petitioner was appointed as Fair Price Shop Dealer in respect of shop No.084 of Mamidyal village, Mulugu Mandal, Medak District on 11.11.2013. It is the case of the petitioner that she has been distributing the essential commodities to the card-holders without any complaint whatsoever. While so, on 16.03.2016 the Assistant Civil Supplies Officer along with others visited the shop of the petitioner and found variation in the stock. Basing on the report of the Assistant Civil Supplies Officer, the third respondent issued a show cause notice on 30.03.2016 calling for the explanation from the petitioner. The petitioner submitted her explanation on 07.04.2016. Being not satisfied with the explanation submitted by the petitioner, the third respondent suspended the authorization of the petitioner on 11.04.2016 pending enquiry. After completion of the enquiry, the third respondent arrived at a conclusion that the petitioner contravened the provisions of the control orders, 2008 and

passed final orders on 19.07.2016 by cancelling the authorization of the petitioner.

4. Feeling aggrieved by the orders of the third respondent dated 19.07.2016, the petitioner filed an appeal before the second respondent on 11.08.2016. It is not in dispute that so far the second respondent has not disposed of the appeal filed by the petitioner.

5. At the time of arguments, the only relief sought by the petitioner is to direct the second respondent to dispose of the appeal filed by the petitioner as expeditiously as possible. The learned Assistant Government Pleader also consented for the same.

6. In view of the submissions made by both the counsel, this Court is not inclined to go into the merits of the main case.

7. Having regard to the facts and circumstances of the case and also the submissions made by both the counsel, the second respondent is hereby directed to dispose of the appeal filed by the petitioner challenging the orders passed by the third respondent dated 19.07.2016 as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this order. No order as to costs. As a sequel, the miscellaneous petitions, pending if any in this writ petition, shall stand closed.

16.09.2016
Rns

T. SUNIL CHOWDARY, J