

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 18495 OF 2016

ORDER :

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies (Andhra Pradesh).

The petitioner was stated to be the fair price shop dealer of Shop No. 20, Macherla Town, Guntur District. On 25.05.2016, his authorization was suspended pending inquiry, vide proceedings Rc.No. 286/2016-E of the 1st respondent Revenue Divisional Officer alleging that there is excess in the stock available in the shop.

The petitioner contends that pursuant to the show cause notice dated 12.05.2016 issued to him alleging that he holds excess stock, he submitted the explanation stating that though the cardholders put their signatures and thumb impressions, they kept the stock in the shop stating that they would take them away during the course of the day and in the meantime, the inspection took place. Hence, he filed the present Writ Petition to declare the action of the 1st respondent suspending the authorization of his fair price shop, as illegal and arbitrary.

In the instant case, admittedly, there is excess stock available at the time of inspection, which, *prima facie*, appears to be over and above the permissible limits under the Control Order.

Hence, in the facts and circumstances of the case, this Court is not inclined to interfere with the order dated 25.05.2016. However, since the petitioner has already submitted her explanation to the show cause notice, it would be expedient to direct the 1st respondent to complete the inquiry, taking into account and consideration the explanation, after affording an opportunity of hearing and pass final orders within a period of six weeks from the date of receipt of a copy of this order.

With this, the Writ Petition stands disposed of. No costs.

Consequently, the miscellaneous Applications, if any shall also stand disposed of.

CHALLA KODANDA RAM, J

13th June 2016

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