

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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WRIT PETITION No.9392 of 2016

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ORDER:

The petitioner challenges the proceedings dated 18.02.2016 issued by the 3rd respondent, wherein authorization of the petitioner's fair price shop bearing No.28, Gunthacheepadu Village, Chapadu Mandal, Ranga Reddy District, is suspended.

The case of the petitioner is that she was appointed as fair price shop dealer in the year, 2000. By proceedings, dated 09.05.2015, the Revenue Divisional Officer-3rd respondent cancelled the authorization of the petitioner on account of certain irregularities and violation of the Control Orders, 2008. The petitioner challenged the same by filing W.P.No.15296 of 2015 and the same was disposed of by this Court on 03.06.2015, giving liberty to the petitioner to file an appeal before the Joint Collector-2nd respondent. Thereafter, the impugned order dated 18.02.2016 is passed by the

3rd respondent stating that in spite of the order dated 03.06.2015 passed by this Court and as per the information from the Joint Collector's office, no appeal is filed by the petitioner. In those circumstances, the 3rd respondent instructed the Tahsildar to make alternative arrangements to allot the cards to Shop No.17 of

Chapadu Village.

It is the contention of the learned counsel for the petitioner that the copy of the order dated 03.06.2015 in W.P.No.15296 of 2015 is received by the petitioner on 06.06.2015 and immediately on 09.06.2015, she filed the appeal. He further submits that this Court, while disposing of the said W.P., held that pending disposal of the appeal, the petitioner shall be entitled to continue as a fair price shop dealer and the petitioner discharged her duties as a fair price shop dealer till passing of the impugned order dated 18.02.2016.

Considering the averments on the part of the petitioner that she filed appeal on 09.06.2015 and considering the impugned order dated 18.02.2016, wherein it is stated that no appeal was filed as reported by the Joint Collector's office, learned Government Pleader for Civil Supplies was directed to get instructions as to whether any appeal has been filed. In spite adjourning the matter twice, learned Government Pleader for Civil Supplies submits that no information is forthcoming from the Office. In the circumstances, learned Government Pleader for Civil Supplies fairly submits that a direction may be issued to the 2nd respondent to pass appropriate orders on the appeal said to have been filed by the petitioner. The fair submissions made by the learned Government Pleader are appreciable.

In the facts of the present case, if any appeal is filed by the petitioner as stated in the writ petition, the 2nd respondent shall dispose of the same within six weeks from today. If the appeal has already been filed by the petitioner, the petitioner shall have the benefit of the order passed by this Court in W.P.No.15296 of 2015 to continue as an authorized dealer, pending disposal of the appeal by the Joint Collector.

With the above directions, this Writ Petition is disposed of. No order as to costs.

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

CHALLA KODANDA RAM,J

Date:07.04.2016.
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