

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.37230 of 2016

ORDER:

Petitioner challenges the order of cancellation of authorization dated 17.10.2016 in the appeal filed before the second respondent.

2. Petitioner, on 25.10.2016, filed an application for grant of stay, particularly, having regard to the infirmity viz. that the order of cancellation of authorization is passed without enquiry and also contrary to the ratio laid down by this Court in G. DURGA SRINIVAS RAO v. STATE OF ANDHRA PRADESH¹.

3. Mr. I. Koti Reddy has contended with force to convince this Court that the invocation of jurisdiction of this Court under Article 226 of the Constitution of India in the peculiar fact situation of this case is correct and appropriate orders are passed.

4. Having seen the papers, this Court is compelled to make one observation that the orders of cancellation of authorization are passed in a monotonous way. This Court has already laid down broad parameters to ensure fairness in action and at the same time, give the authority to respondents to control the unauthorized and illegal activities of fair price shop dealers. The Joint Collector/second respondent can examine all these aspects of the matter and is directed to dispose of the stay petition filed on 25.10.2016 within two (2) weeks from the date of receipt of copy of this order. The petitioner is given liberty to communicate copy of this order to second respondent for expeditious disposal of stay petition.

¹ 2015 (6) ALD 359

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

November 1, 2016
DSK

S. V. BHATT, J

