

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.30475 OF 2013

ORDER:

Heard Mr.T.Mahender Rao for petitioner and Assistant Government Pleader for Civil Supplies.

The petitioner challenges proceedings No.F/4681/2013 dated 21.09.2013. The 2nd respondent by reference to G.O.Ms.No.52 C.A,F & C.S (CS1) Department, dated 18.12.2008 cancelled the authorisation of Fair Price Shop No.3614 on the ground that the petitioner was elected as Sarpanch and the continuation is contrary to G.O.Ms.No.52 dated 18.12.2008..

Mr.Mahender Rao placed on record G.O.Ms.No.4. Consumer Affairs, Food and Civil Supplies (CS.I) Department, dated 19.02.2011 and contends that the very basis for cancelling F.P. Shop is the policy incorporated in G.O.Ms.No.52 dated 18.12.2008. Through G.O.Ms.No.4 dated 19.02.2011, the earlier Government Order is superseded. Therefore, the cancellation of F. P. Shop of petitioner is illegal and arbitrary. He further submits that as on date, the petitioner continues to supply the essential commodities.

I have perused the Government Order relied upon by the petitioner and I am of the view that the 2nd respondent can be directed to examine the applicability of G.O.Ms.No.4 dated 19.02.2011 and the 2nd respondent is directed to re-examine the issue. The petitioner is given liberty to represent within two weeks from today for re-examination and the grievance re-examined within four weeks from the date of receipt. The parties are directed

to maintain status quo as on date for a period of eight weeks from today.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Date: 05-12-2016
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