

THE HON'BLE SRI JUSTICE S.V.BHATT

Writ Petition No.5845 of 2016

ORDER :

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Heard learned counsel for the petitioner and the Government Pleader.

The petitioner assails proceedings Rc.No.A7/143/2015, dated 28-01-2015 as illegal, arbitrary and unconstitutional. Through the impugned proceedings the 2nd Respondent has suspended the F.P. shop authorization of petitioner pending enquiry.

Learned counsel for the petitioner tried to persuade this Court that even assuming that the allegations set out in the show cause notice dated 28-01-2015 are bit serious, having regard to the explanation offered by the petitioner, there is hardly any truth in these allegations and placing the authorization of petitioner under suspension is unwarranted.

Learned Government Pleader contends that the suspension is ordered pending enquiry into the charges levelled against the petitioner. It is premature to contend that on the ultimate conclusion the authority would arrive in the pending enquiry vide show cause notice dated 28-01-2015. With a view to strike balance between these two circumstances,

learned Government Pleader submits that the 2nd respondent can be directed to consider and dispose of the enquiry pending in Rc.No.A7/143/2015, dated 28-01-2015 within a reasonable period.

I have perused the material available on record and noted the limited submission of learned counsel appearing for the parties. The petitioner challenges the order of suspension pending enquiry into the charges framed through show cause notice, dated 28-01-2015. The explanation is already submitted by the petitioner. Instead of going to the merits of the matter, I am satisfied, the 2nd respondent can be directed to dispose of the enquiry pending in Rc.No.A7/143/2015, dated 28-01-2015 within a period of eight weeks from the date of receipt of a copy of this order by following the procedure stipulated by the applicable rules.

The Writ Petition is disposed of. No order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of.

**S.V. BHATT,
J.**

Date: 24.02.2016

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