

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.19741 of 2016

ORDER:

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Heard Sri K.Srinivas, learned counsel for petitioner and the learned Assistant Government Pleader for Civil Supplies.

The petitioner is a fair price shop dealer of Shop No.26 at Kanakanalapalli Villlage, Sattenapalli Mandal, Guntur District. The authorization in favour of petitioner was cancelled vide proceedings Rc.No.10374/2015L, dated 28-12-2015.

Earlier, the petitioner challenged cancellation proceedings Rc.No.1826/06-B, dated 28-12-2007 in W.P.No.10839 of 2009. On 19-01-2015, the said writ petition was allowed. The respondents restored the authorization in favour of petitioner from 13-10-2015. It is curious to note that a complaint was received and through proceedings Rc.No.10374/2015L, dated 28-12-2015 again the authorization was suspended. On 17-06-2016, the petitioner filed an appeal against order, dated 28-12-2015.

The complaint of petitioner is that there is no occasion whatsoever to consider suspending the authorization when the petitioner was ordered to distribute essential commodities from 13-10-2015. The Joint Collector, Guntur-4th respondent, having regard to the facts and circumstances of the case, ought to have taken up either the appeal or stay petition filed by the petitioner.

Perused the material available on record. This court is of the view that the appeal filed by the petitioner before the 4th respondent ought to be considered and disposed of within definite

time frame. I am satisfied that the writ petition can be disposed of as follows:-

“The 4th respondent shall consider, afford opportunity to petitioner and dispose of the appeal filed on 17-06-2016 within 45 days from the date of receipt of a copy of this order.”

Accordingly, the writ petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

S. V. BHATT, J

Dt: 22-06-2016

Prv

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22-06-2016

Prv