

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 22607 OF 2016

ORDER:

This writ petition is filed by the petitioner with a limited grievance that he has filed stay petition along with the appeal before the 2nd respondent-Joint Collector on 15.06.2016 under Clause 20(3) of the A.P. Public Distribution System Control (Order), 2008, seeking to set aside the impugned proceedings and order to continue the dealership of the petitioner and permit him to distribute the commodities to the cardholders as usual. But the 2nd respondent-Joint Collector did not chose to pass any orders either in the stay petition or in the appeal filed by petitioner. Hence, the writ petition.

The right of appeal being a statutory right under the Control Order, 2008 and the petitioner's right cannot be put in jeopardy and make the appeal provision itself nugatory. In that view of the matter, there is an obligation cast on the 2nd respondent-Joint Collector to pass appropriate orders on the appeal dated 15.06.2016, filed by the petitioner.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the 2nd respondent-Joint Collector to dispose of the appeal of the petitioner itself within a period of four weeks from the date of receipt of copy of this order. Till such time, passing of final orders in the appeal of the petitioner, there shall be interim stay of the impugned proceedings. No order as to costs. Miscellaneous Petitions, if any pending in this writ petition shall stand closed.

CHALLA KODANDA RAM,J

Date: 14.07.2016.

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