

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 40366 of 2015

DATED 18TH FEBRUARY, 2016

BETWEEN

S.Krishanaiah

...Petitioner

And

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Consumer Affairs, food & Civil Supplies Department,
Secretariat, Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 40366 of 2015

ORDER:

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Challenging the order of the second respondent dated 23.10.2015 in cancelling the authorization of the petitioner, the present Writ Petition is filed.

It is the specific case of the petitioner that his Fair Price Shop Dealership has been cancelled without advertng to the material placed before the authority and without advertng to the contentions raised by him.

A bare perusal of the impugned order would leave no manner of doubt that the explanation submitted by the petitioner has not been considered in proper perspective except stating that the explanation submitted by the petitioner is not in proper

way and not appropriate. Admittedly the authorization of the petitioner is valid up to 31.02.2016.

In that view of the matter, the impugned order dated 23.10.2015 is set aside giving liberty to the second respondent to pass appropriate orders afresh, after considering the explanation submitted by the petitioner in proper perspective and advertent to the material placed on record as well as contentions raised by the petitioner.

The Writ Petition is accordingly disposed of. It is needless to mention that in view of setting aside the impugned order dated 23.10.2015, the authorization of the petitioner to distribute the essential commodities subsists and as long as the authorization of the petitioner is in force, the dealer/petitioner is entitled to distribute the essential commodities.

Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE CHALLA KODANDA RAM

DATED 18TH February, 2016.

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