

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 22620 of 2016

ORDER:

Suspension pending enquiry order dated 18.04.2016 is challenged before this Court.

A perusal of the impugned order discloses that the authorization of Fair Price Shop dealership of the petitioner was suspended on two grounds. The first one is that there is variation of 8 Kgs of rice and 7 Litres of Kerosene Oil and the second one is that the petitioner was supplying less quantity of rice by 2 Kgs using silver tub during e-weighing from September, 2015 to November, 2015. Whether the petitioner had committed the said irregularities or not has to be found only after conducting enquiry by the authority concerned. In other words, at this stage they only remain as allegations.

In view of the law laid down by this Court, for every small and trivial breach, either suspension or cancellation of authorization is not warranted.

In the circumstances, the impugned order is set aside. The third respondent is directed to complete the enquiry, after issuing a show cause notice to the petitioner, if already not issued, and considering the explanation, if any, submitted by the petitioner.

The writ petition is accordingly disposed of. Consequently, the Miscellaneous Applications, if any shall also stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J.

Date: 14.07.2016
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