

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 4741 of 2016

DATED 15TH FEBRUARY, 2016

BETWEEN

Smt.K. Hemalatha

...Petitioner

And

The State of Telangana,
Rep. by its Commissioner of Civil Supplies
Department and Ex Officio Secretary,
Civil Supplies Bhavan, Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 4741 of 2016

ORDER:

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The petitioner has been appointed as Fair Price Shop Dealer for Shop No. 6 of Gundala Village, Chevella Mandal, Ranga Reddy District. On 19.11.2015, the Assistant Supply Officer, Chevella Division, Ranga Reddy District along with the staff of the third respondent inspected the fair price shop of the petitioner and found certain variations in the stocks. Pursuant to the same, the second respondent issued a show cause notice on 2.12.2015 and the petitioner submitted his explanation denying the allegations made against him. However, dissatisfied with the same, the second respondent suspended the authorization of the petitioner through order dated 8.2.2016, pending enquiry. Challenging the said order, the present Writ Petition is filed.

Heard the learned Counsel for the petitioner and learned Government Pleader for Civil Supplies appearing for the respondents.

A perusal of the Panchanama dated 19.11.2015 discloses that there are variations in the stocks in respect of sugar, Redgram dal and kerosene beyond permissible limits. Further it is alleged in the show cause notice dated 02.12.2015 that the petitioner/dealer stated to be not issuing the essential commodities under proper weighment and not behaving properly with the cardholder. Since the charges levelled against the petitioner/dealer are serious in nature, this Court is not inclined to go into the merits or otherwise of the same and suspend the proceedings initiated against the petitioner. However, as the impugned order dated 08.02.2016 passed by the second respondent suspending the authorization of the petitioner is only pending enquiry, the petitioner is at liberty to submit his detailed explanation to the allegations levelled against him. As and when the petitioner submits his explanation, the second respondent is directed to consider the same and pass final orders within a period of four weeks from the date of receipt of the explanation from the petitioner, by strictly complying with the principles of natural justice and affording an opportunity of hearing to the petitioner.

Subject to the above, the Writ Petition is disposed of. 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 15TH February, 2016.
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