

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM
WRIT PETITION No.18072 OF 2016

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ORDER:

The suspension pending enquiry order dated 25.05.2016 passed by the 2nd respondent is challenged before this Court in this writ petition.

In the impugned order the only irregularity alleged against the petitioner is variation of Q.1.45 kgs, of PDS Rice (Shortage) and Q.0.31 kgs of Sugar (Shortage).

So far as the shortage of Rice is concerned, the permissible limit is about Q.1.14 kgs approximately. In other words, the variation which is *prima-facie* found in excess is about 30 to 35 Kgs. Similar is the case with Sugar. It is the specific plea of the petitioner that at M.L.S., point itself, the dealer has delivered and there was a short delivery. This aspect of the matter was explained by the petitioner in the explanation submitted by him. This Court has taken judicial note of the fact that on earlier occasion there are instances of short delivery at MLS point.

In those circumstances and considering the variation not being huge, the impugned suspension order dated 25.05.2016 passed by the 2nd respondent is set aside. As the show cause notice has already been issued for which the petitioner has submitted his explanation, the enquiry as contemplated under the Control Order, shall be completed within a period of six (6) weeks from the date of receipt of copy of this order. Till such time, the order passed by the 2nd respondent shall stand suspended.

The writ petition is disposed of accordingly. No order as to costs.

In view of disposal of the main writ petition, miscellaneous

petitions pending in the writ petition, if any, shall stand closed.

Challa Kodanda Ram, J

10th June, 2016.

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Dated : 10.06.2016

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