

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.17670 OF 2016

ORDER:

Suspension of authorization of the Fair Price Shop, pending enquiry, is challenged in this writ petition.

The only allegation against the petitioner is that there is a variation in the stock.

A perusal of the impugned suspension order, wherein the tabular form with respect to stock, reveals that it is only in variation of an excess stock of wheat and kerosene is found. It is the case of the petitioner that inspection was made on 17.03.2016, by which time several card holders have not taken delivery of the commodities as there was ample time.

Heard the learned counsel for the petitioner.

Merely because there is a variation in the stock register, that by itself cannot be a reason for coming to a conclusion that the petitioner is indulging in a clandestine activity. Now, it is not in dispute that more days are left to complete distribution of the seized stock.

In those circumstances, the suspension pending enquiry, in the facts of the present case, is unwarranted and is, accordingly, quashed giving liberty to the respondents-authorities to complete the enquiry and pass final orders within a period of eight (8) week from today. The order passed by this Court is to be valid till the disposal of the enquiry by the 1st respondent.

Accordingly, the Writ Petition is disposed of. No order as to costs.

In consequence, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

CHALLA KONDANDA RAM, J

Date: 07-06-2016.

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