

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM
WRIT PETITION No.11665 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

The case of the petitioner, as seen from the affidavit contents of the petitioner, is that he was appointed as Fair Price Shop dealer on permanent basis in respect of F.P. Shop No.20 of Ankabhupal Puram Village, Valetivari Palem Mandal, Prakasam District, about 8 years prior to filing of the present writ petition. While so, on 19.08.2014, the Food Inspector, Kandukuru, and his staff inspected his fair price shop and found certain irregularities. On 22.08.2014, the 4th respondent issued a show cause notice and subsequently, on 08.09.2014, the authorization of the petitioner was suspended. Further, pursuant to the order dated 18.09.2014 passed by this Court in W.P.No.27834 of 2014, the 4th respondent conducted a detailed enquiry and finally cancelled the authorization of the petitioner vide orders dated 05.10.2015. Challenging the same, petitioner filed an appeal before the 3rd respondent along with stay application on 13.10.2015. Again, pursuant to the orders dated 29.10.2015 passed by this Court in W.P.No.35244 of 2015, the 3rd respondent taken up the appeal filed by the petitioner and finally dismissed the same. Aggrieved over the same, petitioner filed a revision before the 2nd respondent on 29.03.2016 along with stay application. Since the 2nd respondent was not passing any orders thereon, present writ petition is filed.

Learned counsel for the petitioner submits that the revision filed before District Collector is pending. However, he seeks the petitioner to be allowed to distribute the commodities, pending consideration of

the revision.

Having considered the submissions of the petitioner and in the facts and circumstances of the present case, once cancellation is upheld by the Appellate Authority, merely because the petitioner had filed a revision, this Court cannot sit in as Appellate Court and enter into the arena to decide whether particular fact has been considered by the Appellate Court or not. However, as the revision is pending before the 2nd respondent, interest of justice would be served if a direction is issued for disposal of revision itself in a time bound manner.

Accordingly, the Writ Petition is disposed of directing the 2nd respondent to dispose of the revision, stated to have been filed on 29.03.2016 by the petitioner, within a period of six weeks from the date of receipt of a copy of this order. There shall be 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

11th April, 2016.

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