

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.7877 OF 2016

ORDER:

The case of the petitioner is that she was appointed as fair price shop dealer of Shop No.24, Gurrapusala Village, Yarragondapalem Mandal, Prakasham District four years back. The 3rd respondent issued show cause notice on 23.12.2015 alleging certain irregularities. The petitioner submitted her explanation on 08.01.2016 denying the charges made against her. After completion of enquiry the 3rd respondent cancelled the authorization of the petitioner.

It is not necessary to go into the details of the enquiry as admittedly the petitioner filed an appeal invoking the provisions of Clause 20 of A.P.S.P.D.S Control Order, 2008 along with an application for stay before the 2nd respondent and the same are pending before the 2nd respondent. Following the dictum laid down by the Division Bench of this Court in **Anab-E-Shahi Wines and another v. Deputy Commissioner** ^[1] there shall be direction to the 2nd respondent to dispose of the appeal itself within a period of six weeks from the date of receipt of a copy of this order after giving opportunity to the petitioner. As the right of appeal being a statutory right and in view of the judgment of this Court referred to (1) supra, I deem it appropriate to grant stay of order of the 3rd respondent, pending disposal of the appeal before the 2nd respondent.

With the above observation, the writ petition is disposed of. There shall be no order as to costs.

In view of the disposal of the main writ petition, miscellaneous petitions, if any pending in the writ petition, shall also be closed.

CHALLA KODANDA RAM, J.

Date:11.03.2016.
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