

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.40868 of 2016

ORDER:

Heard Mr. A. Samir Kumar Reddy for petitioner and the Assistant Government Pleader for Civil Supplies.

2. Petitioner challenges proceedings Rc.No.604/2016-E dated 22.10.2016 suspending the authorization of petitioner pending enquiry into the charges levelled against him.

3. Mr. A. Samir Kumar Reddy made several submissions on fact and also deviations even in the preliminary report gathered, which resulted in issuing impugned proceedings, as illegal, arbitrary and motivated.

4. This Court is of the view that the jurisdiction of the fourth respondent to place petitioner under suspension is not raised and further normally this Court is slow in entertaining writ petitions filed questioning show cause notice/suspension pending enquiry. In G. DURGA SRINIVAS RAO v. STATE OF ANDHRA PRADESH¹ read with CCS.Memo.No.21/100/2015-AD1.PP-CCS dated 28.09.2015, the rights of fair price shop dealers are sufficiently protected. I am satisfied the writ petition can be disposed of by this order:

- a) The fourth respondent is directed to complete the enquiry as directed by this Court in G. DURGA SRINIVAS RAO's case (supra) read with CCS. Memo.No.21/100/2015-AD1.PP-CCS dated 28.09.2015 within eight (8) weeks from today.

¹ 2015 (6) ALD 359

- b) Petitioner is given liberty to file additional reply, if so advised, within two (2) weeks from today.
- c) If the enquiry, as directed by this Court is not completed, the suspension order passed on 22.10.2016 shall be deemed to be suspended by this Court.

As a sequel, the miscellaneous petitions, pending if any, shall stand closed. There shall be no order as to costs.

S. V. BHATT, J

November 25, 2016
DSK

