

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 1441 of 2012

Order:

The petitioner was appointed as a temporary dealer on 01.02.2006 on behalf of a Mahila Group as the existing dealer was kept under suspension for certain irregularities. The petitioner submitted her representation to the then Mandal Revenue Officer, Doulatabad Mandal, Medak District on 06.06.2006 to appoint her as permanent dealer and submitted a demand draft for a sum of Rs.3,000/-. The Mandal Revenue Officer in turn requested the fourth respondent to issue authorization in the name of the petitioner for Fair Price Shop No.2 of Doulatabad village and Mandal. When the petitioner was running the Fair Price Shop for nearly six years and when she saw a notification on 30.12.2011 inviting applications from the eligible candidates for filling up of 32 vacancies of Fair Price Shop dealers including that of Shop No.2, the present Writ Petition was filed.

This Court, by order dated 23.01.2012, observed that against the open competition vacancy, any candidate belonging to the reserved segments can compete, but in respect of reserved vacancies others cannot compete. Liberty was given to the respondents to go on with the selections, but the finalization was stayed.

Though no counter affidavit is filed by the respondents, learned Government Pleader, on the basis of instructions, submits that the process of scrutiny of applications was completed, but in view of the stay order of finalization of selections, the selections could not be finalized.

The petitioner is, admittedly, a temporary dealer who was appointed in a vacancy that was caused due to suspension of the regular dealer. When the respondents wanted to fill up 32 vacancies including the vacancy of Shop No.2 of Doulatabad village and Mandal, where the petitioner has been continuing on temporary basis, the present Writ Petition was filed. The petitioner cannot claim any right for permanency and as held by this Court it was open to the petitioner to participate in the selection process and it is not known whether the petitioner participated in the selection process or not.

However, in view of the statement made by the learned Government Pleader that the selection process was completed and it is pending finalization, this Writ Petition is dismissed granting liberty to the respondents to finalize the selection process and take necessary steps in accordance with law. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 17.11.2016
Nsr