

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.20027 of 2016

ORDER:

The case of the petitioner is that he was appointed as fair price shop dealer for Korla Kunta Village vide proceedings dated 25.07.2007. While so, on 21.01.2016, the vigilance officials inspected his shop and found certain variations in stocks. Basing on said inspection report, the 3rd respondent suspended the authorization of the petitioner pending finalization of disciplinary proceedings vide order dated 18.02.2016. As against the same, petitioner filed W.P.No.10840 of 2016, which was disposed of by this Court on 01.04.2016 directing the 3rd respondent to conduct enquiry within a period of six weeks. Pursuant to the same, 3rd respondent conducted enquiry and passed the impugned order. It is the grievance of the petitioner that *in spite* of pendency of 6-A proceedings before the 2nd respondent, the 3rd respondent passed the impugned order, as such, the same is liable to be set aside.

Having considered the submissions made on behalf of the petitioner and considering the fact that the 3rd respondent had already cancelled the authorization of the petitioner, no useful purpose would be served in keeping the writ petition pending.

In the circumstances, the writ petition is disposed of directing the petitioner to avail the alternative remedy of appeal before the Joint Collector against the impugned order passed by the 3rd respondent. In that view of the matter, petitioner shall file an appeal before the Joint Collector within a period of two weeks from the date of receipt of copy of this order. As and when such appeal is filed by the petitioner, the Joint Collector shall dispose of the same within a period of four weeks from the date of filing of such appeal, after taking into consideration the explanation submitted by the petitioner and after conducting

independent enquiry into the charges framed against the petitioner. Till disposal of appeal, there shall be interim stay of order dated 19.05.2016. 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

29th June, 2016
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