

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.18614 of 2016

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Civil Supplies.

Suspension pending enquiry order dated 23.05.2016 of the 3rd respondent vide Ref.No.B/374/2016 is challenged before this Court.

It is the specific contention of the petitioner that variation is within permissible limits except with respect to sugar. In respect of excess stock of 7.5 kgs. of sugar, it is submitted by the petitioner that it may be noted that the inspection came to be carried on 18.05.2016 and there was another 12 days time in the month for distribution of commodities and some of the cardholders would take delivery of commodities at the end of the month.

Having considered the rival submissions of the parties, this Court is also of the view that in normal course of practice, in villages, the cardholders will be in the practice of taking delivery of commodities at the end of the month. In that view of the matter and also considering the quantum of variations, this Court is of the view that suspension pending enquiry is not warranted in the facts of the present case.

Therefore, respondents-authorities are directed to complete enquiry and pass appropriate final orders within a period of eight weeks from the date of receipt of a copy of this order by following due process of law. Till such time, the order dated 23.05.2016 is suspended.

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

Miscellaneous Petitions, if any, pending in this writ petition shall also stand closed.

CHALLA KODANDA RAM, J.

14th June, 2016
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