

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.20719 of 2016

ORDER:

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

Suspension pending enquiry order dated 17.06.2016 is challenged before this Court. As seen from the impugned order, suspension is rendered on the following grounds:

- 1) that the F.P. Shop dealer has kept excess stocks of PDS Rice 1419 Kgs and 33 Kgs of Sugar in the F.P. shop without distributing to the card holders by taking their thumb impressions intended to divert the same into black market for his pecuniary gains.
- 2) That the F.P. Shop dealer has run the shop through Sri M.Srinivasa Rao continuously since long time.
- 3) That the F.P. Shop Dealer has failed to furnish the stock particulars, dated, closing balance on the exhibit board under APSPDS (Control) Order, 2008 vide clause 2 (iv) and 18 (b).
- 4) That the F.P. Shop Dealer has failed to produce weights and measurements certificate from the competent authority before the Inspection Officer.

Except the first allegation with regard to excess PDS rice, three other allegations are trivial in nature. Insofar as the first allegation is concerned, a large number of cardholders have submitted a written letter to the Revenue Divisional Officer confirming that they have not taken delivery of rice and sugar in the morning and they have left the scheduled commodities with the dealer so as to collect the same in the evening. This aspect of the matter as well as the allegation with respect to non-supply are required to be established in an enquiry.

In these set of facts, the respondent authorities are directed to complete the enquiry by considering the explanation submitted by the petitioner and pass appropriate final orders within a period of six weeks from the date of receipt of a copy of this order duly affording an opportunity of hearing to the petitioner. However, in the meanwhile petitioner shall be allowed to carry on the work of distribution of

commodities.

Accordingly, the writ petition is disposed of. No order as to costs.

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

CHALLA KODANDA RAM, J.

29th June, 2016
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