

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

C.C.No.956 of 2016

ORDER:

This Contempt Case is filed alleging willful disobedience of the order dt.19-11-2015 in W.P.No.37495 of 2015. In that order, this Court set aside the order of suspension dt.24-07-2015 passed by 4th respondent against the petitioner suspending his fair-price-shop dealership authorization on the ground that the period of 90 days for completing the enquiry had expired, while observing that this will not preclude the 4th respondent in the Writ Petition from completing enquiry into the allegations leveled against the petitioner and pass appropriate orders thereon in accordance with law. Thereafter order dt.23-4-2016 has been passed by the respondents.

2. Learned counsel for the petitioner states that the enquiry has not been conducted in accordance with the principles of natural justice, that the material was collected against the petitioner behind the back and on the basis of that material, this order dt.23-04-2016 was passed. He therefore contended that there is willful disobedience of the order dt.19-11-2015 in W.P.No.37495 of 2015.

3. Counter affidavit is filed by the respondents stating that they conducted enquiry in accordance with law and there is no willful disobedience of the order passed by this Court in the above Writ Petition.

4. I have seen the order dt.23-04-2016 passed by the respondents. This Court while disposing of the Writ petition, left it open to the respondents to conduct enquiry in accordance

with law. If the petitioner has any grievance about the type of enquiry conducted by the respondents before passing the order 23-04-2016, the petitioner has to question the same by way of a separate writ proceeding and cannot complain that there is willful disobedience of the order passed by this Court in the Writ Petition.

5. Therefore, granting liberty to the petitioner to challenge the Order dt.23-04-2016 passed by the respondents by way of separate proceeding, this Contempt Case is closed. No costs.

6. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 24-06-2016

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