

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.24844 of 2017

ORDER

Heard learned counsel appearing for the petitioner and learned Government Pleader for Civil Supplies appearing for the respondents 1 to 4.

The petitioner was appointed as dealer of fair price shop No.19, Kakinada Urban Mandal, East Godavari District, about 8 years back. She was also appointed as in-charge of fair price shop No.31. She states that the stock register was not handed over at the time of entrusting the said shop. While so, on 4.5.2017, the 4th respondent inspected fair price shop No.31, in respect of which, she was kept in-charge and noticed some irregularities. In view of the said irregularities, the authorization of the petitioner was suspended *vide* proceedings dated 15.6.2017. Till date, no show cause notice was issued even though the suspension took place on 15.6.2017.

In those circumstances, the petitioner approached this Court and submitted that there was no irregularity in respect

of shop No.19 and the alleged irregularity is pertaining to shop No.31 only for which inspection was conducted on 4.5.2017.

In view of the fact of non-issuance of any show cause notice even after 45 days of suspension of authorization, this Court is inclined to permit the petitioner to run fair price shop No.19, for which she is a dealer, pending the proceedings, in respect of Shop No.31. The 3rd respondent is directed to take further proceedings pursuant to the order of suspension dated 15.6.2017 in respect of the alleged irregularities pertaining to shop No.31 as expeditiously as possible after giving due opportunity to the petitioner and pass appropriate orders in accordance with law. The enquiry pending in respect of shop No.31 does not prevent the petitioner from discharging her duties in respect of shop No.19. This order is passed in the peculiar circumstances of the case since no subsequent steps were taken even after suspension of authorization on 15.6.2017.

Accordingly, the writ petition is allowed to the extent indicated above. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

1st August, 2018
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