

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.32632 of 2017

ORDER:

The present Writ Petition, under Article 226 of the Constitution of India, came to be filed seeking to declare the inaction of the second respondent in considering and passing orders in the stay petition dated 13.09.2017 filed by the petitioner along with appeal filed questioning the order passed by the third respondent dated 05.09.2017, as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Civil Supplies. With their consent, the Writ Petition is disposed of at the stage of admission itself.

The grievance of the petitioner in this writ petition is that questioning the order dated 05.09.2017 passed by the third respondent vide Proceedings R.C.F/392/2012 canceling the Fair Price shop dealership authorization of the petitioner, an appeal was filed before the second respondent along with stay application on 13.09.2017. However, till date no orders are passed thereon.

Learned AGP would submit that the second respondent may be directed to pass appropriate orders in the stay application filed by the petitioner, at the earliest.

Having regard to the rival submissions made, the Writ Petition is disposed of directing the second respondent-The Joint Collector to pass orders in the stay application filed by the petitioner on 13.09.2017 along with the appeal filed, questioning the order dated 05.09.2017 passed by the third respondent vide

Proceedings R.C.F/392/2012, as early as possible preferably within a period of four weeks from the date of receipt of a copy of this order, in accordance with law. If the petitioner is still supplying the essential commodities, the authorities shall continue to supply the same, for a period of four weeks.

Consequently, miscellaneous petitions pending in this petition, if any, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

22.09.2016

Note : Issue C.C. in a week.

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