

THE HON'BLE SRI JUSTICE S. V. BHATT

WRIT PETITION No. 2046 of 2017

ORDER:

Heard Sri Chetluru Sreenivas for Petitioner and the Assistant Government Pleader (Civil Supplies) for Respondents 1 to 5.

2. The petitioner challenges proceedings of 3rd Respondent vide D.Dis.(A3)/ 950/ 2016, dated 14.10.2016 canceling authorization of petitioner for running Fair Price Shop No.29, Moravawaddi Palli, Peleru Mandal, Chittoor district, as illegal, arbitrary and unsustainable.

3. The proceeding impugned in the writ petition is the subject matter of an appeal filed by petitioner before 5th Respondent. Though the challenge is against cancellation of authorization of petitioner to run the fair price shop, the principal objection of the petitioner in the writ petition is that the 5th Respondent is neither considering the stay petition filed by the petitioner nor giving a date for hearing the appeal.

4. I have perused the impugned proceedings dated 14.10.2016 and the memorandum of appeal together with stay petition filed by petitioner. I am of the view that the 5th Respondent by now ought to have heard, at least, the stay petition and passed orders, as are deemed fit and proper. The statutory remedy of appeal is

already availed for suitable interim measures. Hence, I find it appropriate to dispose of this writ petition by this order.

5. The 5th Respondent is directed to give a date for hearing of stay petition in the appeal filed by petitioner, within two weeks from the date of receipt copy of this order, and further directed to dispose of the appeal within eight weeks thereafter. The petitioner is given liberty to file memo praying for a date, by enclosing a copy of this order.

6. The writ petition is disposed of accordingly. As a sequel, the miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

January 23, 2017

S. V. BHATT, J

Note: C.C. in One week.
(bo) Kv



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Kv