

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.33211 OF 2017

ORDER:

Heard learned counsel for petitioner and learned Government Pleader for respondents.

The petitioner states that he is a permanent authorized fair price shop dealer in respect of shop No.129/76 of New Raja Rajeswaripeta, Vijayawada, Krishna District and it is re-numbered as 684076. His authorization was cancelled by the second respondent on 06.09.2009 and against the cancellation of his authorization, he preferred an Appeal before the Joint Collector and the same was dismissed by order dated 11.12.2009. He preferred a Revision before the District Collector and the same was also dismissed on 24.10.2010. Challenging the same, the petitioner filed W.P.No.14180 of 2010 and the said writ petition was disposed of by order dated 24.04.2014 directing the District Collector to pass appropriate orders by remanding the matter. When the District Collector passed an order on 25.12.2014, the same was challenged by filing W.P.No.1647 of 2015 and the same is pending. When the said writ petition is pending, and since the second respondent issued a Notification dated 01.08.2017 calling for the applications for the fair price shop dealers including the shop of the petitioner, the present writ petition is filed.

The writ petitioner lost in all stages of the proceedings and merely because of pendency of the writ petition, the appointment of the fair price shop dealer by due process of law cannot be stalled. However, the appointment of fair price shop dealer for shop No.684076 would be subject to the orders to be passed in

W.P.No.1647 of 2015 and if the petitioner is successful, the appointed dealer should give place to the successful dealer.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any pending, shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

05.10.2017
pln

