

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.46849 of 2016

ORDER:

Petitioner prays for the following relief:

“... to issue a writ or order, direction more particularly one in the nature of writ of mandamus declaring the action of the respondents No.3 in suspending the authorization of Nominated retail No.142 situated at Sri Rama Colony, Uppal vide Proceedings No A/ASO-II/212/2016 dated 6.12.2016 (served on 28.12.2016) and also in issuing the show notice vide No A/ASO/212/2016 dated 24.12.2016 (served on 28.12.2016) without conducting any panchanama and any variation in NR Shop No.142 as arbitrary, illegal and also violation of principles of natural justice and also no jurisdiction and contrary to the provisions of Telangana State (Control) Order 2016 ...”

2. On request of learned Government Pleader for Civil Supplies, the writ petition has been adjourned for instructions from 02.01.2017 to today.

3. The Government Pleader, on instructions, submits that the show cause notice dated 24.12.2016 is issued erroneously though suspension was effected vide proceedings dated 06.12.2016.

4. The statement is placed on record. This Court, after perusing the suspension order dated 06.12.2016 and the show cause notice dated 24.12.2016, is of the view that due to error admitted by respondents the orders impugned can't be sustained. Therefore, the suspension order dated 06.01.2016 and show cause notice dated 24.12.2016 are set aside. The present order shall not be understood

as this Court expressing any view on the pending enquiry against petitioner. It is for respondents to take such other or further steps as are deemed fit and proper under the Control Order. Hence, the suspension order as well as show cause notice dated 06.12.2016 and 24.12.2016 are set aside on the ground that there is apparent error in procedure.

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 6, 2017
DSK

S. V. BHATT, J

