

HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No. 4114 of 2017.

ORDER:

This Writ Petition, filed under Article 226 of the Constitution of India, challenges the order of suspension of authorization passed by the second respondent vide Proceedings Rc.No.5373/2016/G, dated 20.01.2017.

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

A show cause notice vide proceedings Rc.No.5373/2016/G, dated 23.06.2016 was issued by the Revenue Divisional officer, Guntur framing as many as four charges by calling upon the petitioner to show cause as to why disciplinary action should not be taken against him. In pursuance of the said show cause notice, denying the charges levelled therein, on 27.06.2016, the petitioner submitted an explanation. By way of order under challenge, the Revenue Divisional Officer, suspended the authorization of the petitioner. The impugned order, according to learned Counsel for the petitioner, is unwarranted in the facts and circumstances of the case.

On the contrary, it is submitted by learned Government Pleader that there is no illegality in the impugned order and that

the order of suspension is appealable before the Joint Collector and without availing the same, present Writ Petition is filed under Article 226 of the Constitution of India.

Having heard the learned Counsel on either side, the Writ Petition is disposed of, permitting the petitioner herein to file appeal against the order of suspension dated 20.01.2017 before the Joint Collector within a period of two weeks from the date of receipt of a copy of this order. If such appeal is filed within the time stipulated above, the same be considered and disposed of, in accordance with law, within a period of four weeks from the date of filing the appeal. Till the appeal is disposed of, status quo as on today as regards the subject fair price shop shall be maintained

Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE A.V.SESHA SAI

DATED 7TH FEBRUARY, 2017.
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