

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.14091 OF 2017

ORDER:

This Writ Petition is filed, under Article 226 of the Constitution of India, challenging the order of suspension of authorization of petitioner's fair price, passed by the Revenue Divisional Officer, Kadapa-3rd respondent herein, pending enquiry.

2. According to the learned counsel for the petitioner, the variations pointed out in the impugned order are very minimal and the same do not warrant suspension of the authorization and the said action is highly illegal, arbitrary and opposed to the very spirit and object of the provisions of the Control Order, 2008.

3. On the other hand, learned Government Pleader submits that the variations as shown against the Kerosene is not within the permissible limits, as such no interference of this Court is warranted in the facts and circumstances of the case.

4. Having heard the learned counsel for the petitioner and the learned Government Pleader, this Court is of the considered opinion that the ends of justice would be served, if the Revenue Divisional Officer-3rd respondent herein is directed to pass final orders in the matter, after issuing show-cause notice and after giving opportunity of hearing to the petitioner, within a period of four (04) weeks from the date of receipt of a copy of this order. In the event of failure to conclude the enquiry within the above stipulated time, the petitioner is entitled to lift the stock.

5. With the above observation, the Writ Petition is disposed of. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

APRIL 27, 2017

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Date: 27.04.2017

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