

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

WRIT PETITION No.2616 OF 2017

ORDER:

This writ petition filed, under Article 226 of the Constitution of India, challenges the order passed by the Revenue Divisional Officer, Narsaraopet, Guntur District, vide proceedings Rc.No.4077/2016-B, dated 23.07.2016.

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

3. According to the petitioner, he was appointed as fair price shop dealer of shop No.18 of Jaggapuram Village of Edlapadu Mandal, Narsaraopet Division, Guntur District. Pursuant to a report of the Tahsildar (Civil Supplies), Pedakurapadu Mandal, dated 04.06.2016, under Section 6-A of the Essential Commodities Act and followed by a show-cause notice and submission of explanation by the petitioner, the Revenue Divisional Officer, Narsaraopet – 3rd respondent herein, passed an order vide proceedings Rc.No.4077/2016-B, dated 23.07.2016, suspending authorization of the petitioner.

4. It is contended by the learned counsel for the petitioner that the very action of the Revenue Divisional Officer in suspending the authorization on the basis of pendency of 6-A

proceedings is impermissible, illegal and contrary to the instructions issued by the Commissioner, vide CCS Memo.No.21/100/2015-AD1.PP.CCS, dated 28.09.2015. It is further submitted by the learned counsel for the petitioner that despite lapse of 90 days, no final orders have been passed so far by the Revenue Divisional Officer, Narsaraopet.

5. On the contrary, it is submitted by the learned Government Pleader that since the enquiry is pending before the Revenue Divisional Officer, the petitioner herein cannot be permitted to approach this Court under Article 226 of the Constitution of India and the Revenue Divisional Officer may be directed to conclude the enquiry by fixing some time. It is further submitted that having regard to the nature of allegations against the petitioner, petitioner herein is not entitled to any indulgence of this Court.

6. Having regard to the nature of controversy and taking into consideration the submissions of the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies, this Court is of the considered opinion that the ends of justice would be served, if the 3rd respondent is directed to pass final orders on the enquiry, pursuant to the impugned proceedings bearing Rc.No.4077/2016-B, dated 23.07.2016, by fixing some timeframe.

7. For the aforesaid reasons, writ petition is disposed of, directing the Revenue Divisional Officer, Narsaraopet – 3rd respondent, to pass final orders pursuant to the impugned proceedings bearing Rc.No.4077/2016-B, dated 23.07.2016, within a period of six weeks from the date of receipt of a copy of this order.

8. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

01.02.2017
SS



A.V.SESHA SAI, J