

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

**WRIT PETITION No.3207 OF 2017**

**ORDER:**

The order passed by the Revenue Divisional Officer, Ibrahimpatnam Division, Ranga Reddy District, vide proceedings No.C/228/2016, dated 15.12.2016, is under challenge in the present writ petition.

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

3. Petitioner herein is the fair price shop dealer of shop bearing No.28 of Kongarakalan Village, Ibrahimpatnam Mandal, Ranga Reddy District. Followed by a 6-A report of the Mandal Revenue Inspector and show-cause notice dated 30.11.2016 and submission of explanation by the petitioner on 02.12.2016, the Revenue Divisional Officer, by way of the order under challenge, suspended the authorization of the petitioner herein for the alleged contravention of the Essential Commodities Act and the PDS Control Order. Aggrieved by the said order, the petitioner herein preferred a statutory appeal before the Joint Collector – 2<sup>nd</sup> respondent herein, on 02.01.2017. Along with the same, he also filed a stay application seeking suspension of the order of suspension.

4. According to the learned counsel for the petitioner, order of suspension is illegal, arbitrary and unreasonable and

violative of Articles 14 and 19(1)(g) of the Constitution of India.

5. On the otherhand, it is the submission of the learned Government Pleader that since the appeal and stay application are pending, the petitioner herein is entitled to pursue the same and cannot approach this Court directly against the orders of suspension. It is further submitted by the learned Government Pleader that in-charge arrangements have already been made in respect of subject fair price shop.

6. Since the appeal and the stay application are pending before the Appellate Authority, this Court, in the facts and circumstances of the case, deems it appropriate to dispose of the present writ petition with a direction to the 2<sup>nd</sup> respondent to pass appropriate orders on the same by fixing some timeframe.

7. For the aforesaid reasons, the writ petition is disposed of, directing the 2<sup>nd</sup> respondent – Joint Collector, to pass appropriate orders on the stay application dated 02.01.2017, filed by the petitioner along with the appeal, within a period of two 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.

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**A.V.SESHA SAI, J**

**31.01.2017**  
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