

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

WRIT PETITION No.13902 OF 2016

ORDER:

An order of suspension passed by the Revenue Divisional Officer, Vizianagaram-4th respondent herein, vide proceedings Rc.No.620/2011 dated 31-03-2011, 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. According to the petitioner, he was appointed as Fair Price Shop dealer to Shop No.95, Vizianagaram in the year 1994 on regular basis. The Revenue Divisional Officer, Vizianagaram vide proceedings under challenge dated 31-03-2011 suspended the authorisation of the petitioner pending enquiry. Thereafter, the Revenue Divisional Officer issued a show cause notice vide proceedings RC.No.620/2010, dated 15-09-2011. Responding to the said show cause notice, the petitioner submitted an explanation. During the course of arguments, it is also brought to the notice of this court that as against the order of suspension passed by the Revenue Divisional Officer, the petitioner herein filed an appeal before the Joint Collector, Vizianagaram-3rd respondent herein on 14-04-2011. According to the learned counsel for the petitioner, the appeal is still pending before the Joint Collector and no order has been passed so far and in view of the same, the petitioner is suffering irreparable loss and hardship. Though a number of contentions are urged by the

learned counsel for the petitioner, keeping in view the pendency of appeal before the Joint Collector, this Court does not propose to consider the same at this stage. However, this Court is of the considered opinion that the ends of justice would be served if the Joint Collector, Vizianagaram is directed to pass appropriate orders on the appeal dated 14-04-2011 said to have been preferred by the petitioner against the orders of suspension dated 31-03-2011 passed by the Revenue Divisional Officer vide RC.No. 620/2011 by fixing some time frame in the interest of justice.

4. For the aforesaid reasons, the writ petition is disposed of, directing the Joint Collector, Vizianagaram-3rd respondent to pass appropriate orders on the appeal dated 14-04-2011 said to have been preferred by the petitioner against the orders of suspension dated 31-03-2011 within a period of three(3) months from the date of receipt of a copy of this order after giving notice and opportunity of being heard to the petitioner.

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

A.V.SESHA SAI, J

14.02.2017
TSNR