

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

WRIT PETITION No.3325 of 2017

ORDER:

An order of suspension passed by the Revenue Divisional Officer, Kurnool vide proceedings Rc.No.B.344/2014, dated 08-12-2016, suspending the authorization of the petitioner in respect of fair price shop No.33 of Mettupalli village, Pyapili Mandal, Kurnool District, is under challenge in the present writ petition.

Heard, Sri K.V. Raghuveer, learned counsel for the petitioner and learned Government Pleader for Civil Supplies for respondents.

The grievance of the petitioner in the present writ petition is despite lapse of nearly two (2) months there is no conclusion of enquiry by the Revenue Divisional Officer. It is further submitted that the in-charge dealer did not handover the backlogs of July month also and the respondents are allotting stocks by deducting the backlogs every month.

According to the learned counsel for the petitioner, the order of suspension is un-warranted in the facts and circumstances of the case.

On the other hand, it is submitted by learned Government Pleader that the variations as pointed out in the

impugned order are very high and the petitioner herein is not entitled for any relief from this Court as the enquiry is pending before the Revenue Divisional Officer.

Having regard to the submissions made by learned counsel for the petitioner and learned Government Pleader and after taking into consideration the material available before this Court, this Court is of the considered opinion that the ends of justice would be served if the Revenue Divisional Officer, Kurnool – respondent No.3 herein is directed to pass appropriate orders on the enquiry pursuant to the impugned order, dated 08-12-2016 within a timeframe.

For the aforesaid reasons, the writ petition is disposed of, directing the Revenue Divisional Officer – 3rd respondent herein to pass final orders on the enquiry within a period of two (2) months from the date of receipt of a copy of this order. It is further made clear that in the event of non-conclusion of enquiry within the time as directed, the petitioner herein shall be permitted to operate the fair price shop.

Miscellaneous Petitions pending, if any, shall stand closed. There shall be no order as to costs.

A.V. SESA SAI, J

February 01, 2017

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