

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 40148 of 2016

Order:

Heard learned counsel for the petitioner and learned Standing Counsel for the respondents.

The petitioner states that he is a sole proprietor of the petitioner concern which is having a Retail Outlet at Nuthankal village, Nalgonda district. Pursuant to the inspection carried out on 16.04.2015, the supplies to the Retail Outlet were stopped with effect from 16.04.2015. After following the procedure, an order of termination was passed on 08.11.2016 and the petitioner was directed to hand over the Retail Outlet on the same day. There is a provision of appeal to the appellate authority to be preferred within thirty days. It is the case of the petitioner that he received the order of handing over the Retail Outlet on 14.11.2016 and challenging the order dated 08.11.2016 the present Writ Petition was filed.

This Court, while issuing notice before admission on 24.11.2016, directed to maintain *status quo*. During the pendency of the Writ Petition, the petitioner preferred a statutory appeal to the competent authority on 02.12.2016 and the respondents filed a counter in the present Writ Petition.

In view of pendency of the appeal before the competent authority, this Court is not inclined to go into the merits of the case set up by the petitioner as well as by the respondents, but the learned Standing Counsel for the respondents submits that, by virtue of orders of *status quo*, they are not in a position to take any steps for taking over the Retail Outlet and the learned counsel for the petitioner, on the other hand, submits that in

the event of the petitioner succeeding in the appeal his rights would be prejudiced. In the circumstances, learned Standing Counsel for the respondents assured that in the event of the petitioner succeeding in the appeal he would be restored to the position obtaining as on today on as is where is basis.

In view of the assurance given by the learned Standing Counsel for the respondents, this Writ Petition is disposed of directing the appellate authority to dispose of the appeal, within a period of sixty (60) days from the date of receipt of a copy of this order, after giving due opportunity to the petitioner. It is needless to observe that if the appeal of the petitioner is allowed, the respondents shall restore the Retail Outlet to the petitioner without delay. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 22.03.2017
Nsr