

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.37495 OF 2017

O R D E R :

The case of the petitioner is that he is a Kerosene Hawker of Shop No.2239016, Kusumanchi-I Village, Kusumanchi Mandal, Kahammam district and his authorisation was suspended by the 4th respondent vide proceedings dated 15.10.2015 on the ground that proceedings under Section 6 A of the Essential Commodities Act, is pending. Challenging the same, the petitioner filed WP.No.38446/2015 and this Court by order dated 26.11.2015 granted interim suspension of the suspension proceedings dated 15.10.2015. Meanwhile, the 2nd respondent has disposed 6-A proceedings in MC.No.29/2015 confiscating the entire seized stock to the Government on 28.10.2015 in the enquiry under Section 6 A of the Act. Aggrieved by the same the petitioner preferred Criminal Appeal No.179/2015 which was allowed on 04.05.2017 by setting aside the order passed in MC.No.29/2015 and also directing the authorities to refund the seized stock. Thereafter, the petitioner filed representation to the 4th respondent on 08.06.2017 and also to the 2nd respondent on 16.09.2017 for restoration of his authorisation and to refund the seized stock in terms of the order dated 04.05.2015 in Criminal Appeal No.179/2015. But, no action has been taken till date. Aggrieved by the same, present writ petition is filed.

Learned counsel for the petitioner submits that inspite of orders passed by this Court in WP.No.38446/15 suspending the order of suspension, the respondents have not restored the authorisation of the petitioner; and that even after 6-A proceedings ended in favour of petitioner in the appeal, the respondents have not restored the petitioner's authorisation.

Heard learned Assistant Government Pleader for Civil Supplies.

In view of the aforesaid facts and circumstances, since 6-A proceedings ended in favour of petitioner in Criminal Appeal No.179/2015 by order dated 04.05.2017, the respondents are obligated to consider the representation of the petitioner and take action.

In view of the same, the writ petition is disposed of directing the respondents 2 to 4 to consider the representation of the petitioner and take action within a period of four weeks from the date of receipt of a copy of this order. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

08.11.2017
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