

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.39433 OF 2017

ORDER:

This writ petition is filed challenging the proceedings dated 31.10.2017 issued by the 4th respondent whereby petitioner's authorisation is suspended pending enquiry.

Learned counsel for the petitioner submits that basing on the enquiry under Section 6 A of the Essential Commodities Act, 1955 (*for short 'the Act'*) the respondents cannot suspend the authorisation of the petitioner which is in violation of circulars issued by the Government. He also submits that enquiry under Section 6 A of the Act, is in respect of confiscation, whereas suspension of authorisation is another aspect.

On the other hand learned Assistant Government Pleader for Civil Supplies submits that show cause notice was issued to the petitioner and after receiving explanation, the impugned order is passed.

It is to be seen that though it is mentioned that enquiry under Section 6 A was registered against the petitioner, the impugned order is not passed basing on the enquiry under Section 6 A only. More so, variations were also found when inspection took place and petitioner has alternate remedy of appeal against the impugned order. In view of the same, this

Court is not inclined to entertain the writ petition. However, it is open for the petitioner to avail alternate remedy of appeal against the impugned order. Even otherwise, the respondents are directed to conclude enquiry within three months from the date of receipt of a copy of this order. Failing which, the authorisation of the petitioner shall be restored which will be subject to further orders in the enquiry.

With the above direction, the writ petition is disposed of.
No order as to costs.

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

23.11.2017
t k.



A.RAJASHEKER REDDY, J