

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.37266 OF 2017

ORDER:

The case of the petitioner is that he is a fair price shop dealer of shop No.54, Annapurnammamet, Rajamahendravaram Urban, East Godavari District. When the said shop was inspected on 07-02-2015 by the Vigilance Officials, they found variation of less 1.93 kgs of PDS rice and proceedings under Section 6-A of Essential Commodities Act were initiated by the 3rd respondent and the same was disposed of by holding that variations are meager in nature, but however, observed that departmental action can be initiated and departmental proceedings have been initiated and the petitioner was not supplied stocks. Aggrieved by the same, the petitioner made representation on 20-10-2017 to the 4th respondent to restore the supply of stocks. As no action has been taken, the present writ petition is filed.

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies.

When the variations are meagre in nature and 6-A proceedings are dropped, it is not known how the action can be initiated on the same ground and it is stated that even no action has been initiated as on today. Representation of the petitioner for restoration of supplies is pending before the 4th respondent, it is for the 4th respondent to dispose of the same. If authorization of the petitioner is valid and subsisting,

the respondents are bound to supply the stocks to the petitioner.

In view of the same, the 4th respondent is directed to dispose of the representation made by the petitioner and take action in accordance with law for restoration of supplies as long as his authorization is valid and subsisting within a period of four weeks from the date of receipt of a copy of this order. Till orders are passed on the representation, no action shall be taken for making permanent appointments to the petitioner's fair price shop.

With the above direction, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

07-11-2017
Nvl

A.RAJASHEKER REDDY,J





