

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.36493 OF 2017

ORDER:

This writ petition is filed challenging the show-cause notice dated 07-06-2017 issued by the 4th respondent.

Normally this Court will not interfere at the stage of show-cause notice.

Learned counsel for the petitioner says that respondents have already come to the conclusion that the petitioner contravened the provisions of the Essential Commodities Act, as such no useful purpose would be served in filing explanation. Further explanation is filed on 31-07-2017.

It is to be seen that it is only prima facie conclusion and because of it, the petitioner was directed to show-cause as to why his authorization shall not be cancelled. It is not the case of petitioner that show-cause notice is without jurisdiction and since petitioner has already submitted explanation on 31-07-2017, it is for the respondent-authority to consider the explanation of the petitioner and pass appropriate orders.

In view of the same, the competent authority is directed to consider the explanation of the petitioner and pass appropriate orders after giving opportunity to the petitioner within a period of two months from the date of receipt of a copy of this order. As long as authorization of the petitioner is valid and subsisting, it goes without saying that the respondents are obligated to supply the stocks to the petitioner.

Accordingly, the writ petition is disposed of directing the respondents to supply stocks for distribution to card holders as long as authorization is valid and subsisting. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

01-11-2017

Note:

Issue CC by tomorrow.

B/o.

Nvl



