

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.37964 OF 2017

ORDER

This writ petition is filed challenging the proceedings of the 3rd respondent – Revenue Divisional Officer in Rc.No.1241/2017/E dated 6.11.2017, whereunder and whereby the authorization of the fair price shop of the petitioner bearing No.0309042 of M.Koduru village, was suspended temporarily.

The learned counsel for the petitioner submits that the authorization of the fair price shop of the petitioner was suspended alleging that 150 kgs. of rice and RG dall respectively, were found less in the stocks. The learned counsel further submits that 150 kgs of R.G. dall was returned to the authorities on 1.11.2017 stating that it is not of good quality. In the material papers filed along with the writ petition, the learned counsel has taken this court to the copy of the acknowledgement given by the authorities in this regard. With regard to 150 Kgs of rice, which were alleged to be less, the learned counsel submits that the said variation is within the permissible limits out of the total quantity of 5,545 kgs. The learned counsel contended that without application of mind, the impugned order has been passed.

Heard learned Assistant Government Pleader for Civil Supplies, who could not dispute the above grounds urged by learned counsel for petitioner, but stated that above aspects will be considered during enquiry.

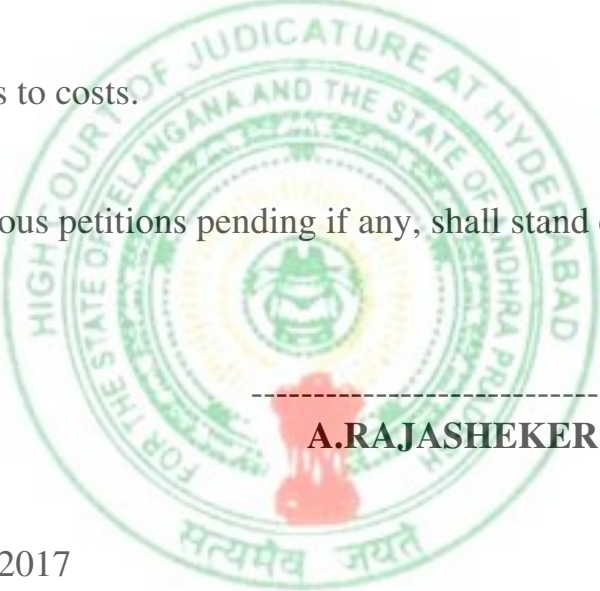
The petitioner has filed acknowledgement regarding returning of 150 kgs of R.G. dall and that variation with regard to 150 kgs of rice is within permissible limits as 5,545 kgs. of rice is found on ground.

In view of the same, the impugned order is set aside and the writ petition is allowed, directing the respondents to restore the authorization of the fair price shop of the petitioner.

It is made clear that this order will not preclude the competent authority from concluding the enquiry and passing final orders in accordance with law.

No order as to costs.

Miscellaneous petitions pending if any, shall stand closed.



A.RAJASHEKER REDDY,J

DATE:27—11—2017
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