

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITON No.40908 OF 2017

ORDER:

The petitioner challenges the order in proceedings No.RDO-NDL-MIS/24/2017-DT(NDL),dated19-07-2017,whereby and whereunder the authorization of petitioner's fair price shop was suspended.

Learned counsel for the petitioner submits that though (90) days period has been elapsed, the respondents have not completed the enquiry. Normally pending enquiry fair price shop authorization cannot be suspended for more than (90) days.

On the other hand, learned Assistant Government Pleader for Civil Supplies submits that though show-cause notice is issued on 24-11-2017, as on today no explanation is filed.

It is to be seen that the petitioner filed WP.No.28619 of 2017, wherein this Court directed the respondents to complete the enquiry within a period of two months, but the respondents choose to issue notice only on 24-11-2017. In **K.Nirmala v. The Revenue Divisional Officer, Ananthapur District**¹, this Court has taken a view that suspension of authorization of fair price shop cannot be normally continued beyond (90) days.

In view of the same, the impugned order is set aside. However, this order will not preclude the respondent-authorities from passing final orders in pursuance to the show-cause notice dated 24-11-2017.

¹ 2013 (1) ALT 339

Accordingly, the writ petition is allowed to the extent indicated above. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

05-12-2017
Nvl



