

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.No.40245 OF 2017

ORDER

Challenging the proceedings dated 31.7.2017 issued by the 2nd respondent, the present writ petition is filed.

The petitioner was appointed as fair price shop dealer for shop No.20, Mallavolu Vilalge, Machavaram Mandal, Guntur District. Based on the report of the Dy.Tahsildar, Gurajala, dated 14.07.2017, a show cause notice was issued to the petitioner alleging certain irregularities, for which the petitioner submitted his explanation. Thereafter, the 2nd respondent *vide* proceedings dated 31.7.2017 suspended the authorization of the petitioner. Hence, the present writ petition.

Learned counsel appearing for the petitioner submits that without completing the enquiry as contemplated under Clause 5 (5) of the Control Order, 2008, the 2nd respondent suspended the authorization of the petitioner.

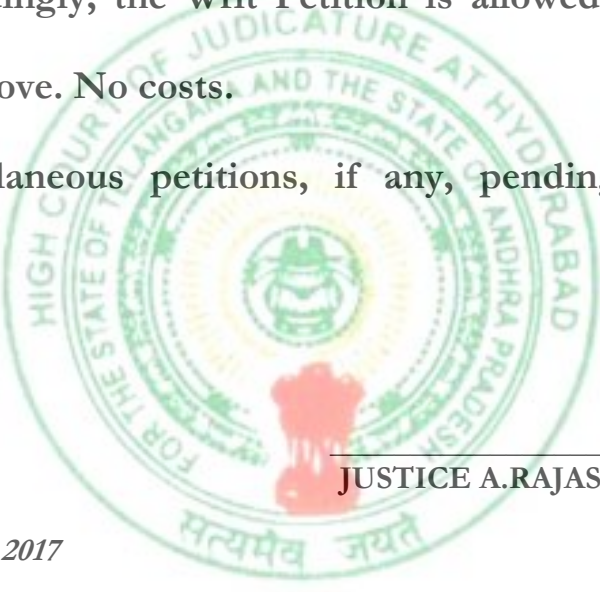
Learned Government Pleader for Civil Supplies, on written instructions, submits that detailed enquiry is being conducted and final orders will be passed by the respondent-authorities.

This Court in W.P.No.36050 of 2014 has taken a view that normally suspension of fair price shop authorization cannot be continued beyond 90 days.

Having regard to the above, the impugned order dated 31.07.2017 is set aside and the authorization of the petitioner is restored. However, it is for the respondent-authorities to pass final orders after affording an opportunity of hearing to the petitioner.

Accordingly, the Writ Petition is allowed to the extent indicated above. No costs.

Miscellaneous petitions, if any, pending shall stand closed.



JUSTICE A.RAJASHEKER REDDY

28th November, 2017
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