

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.40823 OF 2017

O R D E R :

This writ petition is filed challenging the proceedings vide RCB No.201/09, dated 27.01.2010 issued by the 4th respondents suspending the fair price shop authorisation of the petitioner on certain allegations.

Learned counsel for the petitioner submits that without passing final orders, petitioner's authorisation was kept under suspension and that though petitioner submitted explanation on 17.01.2012 in pursuance to the show cause notice, no orders are passed till date.

Learned Assistant Government Pleader for Civil Supplies produced written instructions wherein the 3rd respondent stated that in pursuance to the impugned proceedings a show cause notice dated 07.04.2010 was issued to the petitioner and the petitioner submitted explanation to the same on 02.07.2010 and that the Tahasildar, Gonegandla has to submit report on the explanation of the petitioner.

It is to be seen that there is no valid reason for keeping the petitioner's authorisation under suspension from the year 2010 without passing final order. This court in ***D.Sambasiva Rao v. Joint Collector, Guntur and others (2007 (6) ALT 239*** has taken a view that suspension of fair price shop

authorization pending enquiry, cannot be normally continued beyond a period of ninety 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.

Accordingly, the writ petition is allowed to the extent indicated above. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

06.12.2017
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A.RAJASHEKER REDDY, J