

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.41151 OF 2017

ORDER:

This writ petition is filed aggrieved by the proceedings in Rc.M.1636/2017, dated 06-06-2017, wherein and whereby the petitioner's fair price shop authorization is suspended.

Learned counsel for the petitioner submits that no final orders are passed and petitioner's fair price shop authorization cannot be continued under suspension for an indefinite period.

On the other hand, learned Assistant Government Pleader for Civil Supplies produced written instructions saying that charges are framed against the petitioner stating that the petitioner was issued notice on 22-05-2017 asking the petitioner to be present in person on 27-05-2017 and the petitioner has attended the enquiry.

It is stated that explanation of the petitioner was not satisfactory and convincing. But it is not known why final order is not passed though more than six months have been elapsed. If charges framed were grave in nature, the respondents could have passed an order on merits, even if the petitioner did not file any explanation. This Court has taken a view in **K.Nirmala v. The Revenue Divisional Officer, Ananthapur District**¹ that suspension of authorization of fair price shop cannot be continued normally beyond (90) days. The impugned order does not indicate that is suspension pending enquiry.

¹ 2013 (1) ALT 339

In view of the same, the impugned order is set aside. However, this order will not preclude the competent authority from passing final orders after giving opportunity of hearing to the petitioner.

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

06-12-2017

Nvl



