

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.327 OF 2018

ORDER:

The petitioner challenges the order in proceedings No.RDO-NDL-MIS/52/2017/DT(NDL), dated 25-09-2017, whereby and whereunder the authorization of petitioner's fair price shop was suspended.

Learned counsel for the petitioner submits that suspension order is passed basing on the vague allegations and 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 vehemently opposed for allowing writ petition.

It is to be seen that in the present case no show-cause notice is issued to complete the enquiry though order of suspension is passed on 25-09-2017 and learned counsel for the petitioner relied on the judgment of **K.Nirmala v. The Revenue Divisional Officer, Ananthapur District**¹, wherein 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 after issuing show-cause notice to the petitioner.

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

04-01-2018
Nvl



