

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.4936 of 2018

ORDER:

In this Writ Petition, petitioner's grievance is that though he was appointed as a dealer with respect to fair price shop No.14 of Damavandlapalli Village, Nallacheruvu Mandal, Anantapuramu District, in 2001, the second respondent – Revenue Divisional Officer, Kadiri, Anantapuramu District, issued a notification on 31.01.2018 for appointment of a dealer on permanent basis in respect of aforesaid fair price shop, which the petitioner is running as of date.

In support of his contention that the petitioner has *locus standi* to question the impugned notification, learned counsel for the petitioner relies on the judgment of Full Bench of this Court reported in **M. Vanaja v. B. Balaseshanna and others**¹.

Heard learned Government Pleader for Civil Supplies appearing for the respondents.

Having heard the respective submissions and having gone through the afore-cited judgment, this Court does not have any different opinion on the expression that any person aggrieved includes a temporary dealer. However, it may be noted that the

¹ 2007(4) ALD 388 (FB)

said expression ‘any person aggrieved’, as incorporated in Clauses 20 and 21 of the Andhra Pradesh State Public Distribution System (Control) Order, 2008, comprehends within itself a temporary fair price shop dealer and the latter has locus to challenge an order made under Clause 5(5) thereof.

In the present case, the decision to appoint a permanent dealer does not relate to any of the Clauses referred to in the Control Order, as mentioned in the afore-cited Full Bench judgment. Therefore, the petitioner being governed by the terms of his original appointment cannot have any grievance, if a fresh notification is issued calling for applications for appointment of a new dealer on permanent basis.

In those circumstances, there being no merit, the Writ Petition is dismissed. However, till permanent dealer is appointed pursuant to the impugned notification, the petitioner may be continued to discharge the functions as a dealer of fair price shop in question.

Miscellaneous Petitions, if any pending shall stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

16th FEBRUARY, 2018.
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