

THE HON'BLE SRI JUSTICE A. V. SESA SAI

W.P. No. 15160 of 2018

ORDER:

Heard the learned counsel for the petitioner, Sri R.K.Chitta and Sri B.Mayur Reddy for the 4th respondent.

2. The 3rd respondent herein, vide order dated 10.03.2017, cancelled the licence of the petitioner herein pertaining to Liquefied Petroleum Gas (LPG) distributorship. Aggrieved by the said order, the petitioner herein filed a statutory appeal before the 2nd respondent, and the 2nd respondent, vide orders dated 01.11.2017, remanded the matter to the 3rd respondent. Assailing the said order, petitioner herein filed W.P.No. 41331 of 2017 before this Court, and this Court, on 7th day of December, 2017, passed the following order:

“Heard Sri Satyam Reddy, learned senior counsel for the petitioner who submits that the appellate authority has to power to remand the matter to the lower authority.

Heard learned Government Pleader for Civil Supplies who submits that serious charges were leveled against the petitioner.

But it is not pointed by the learned Government Pleader whether the appellate authority has power in remanding the matter.

In view of the same, the impugned order to the extent of remanding the matter to the lower authority is suspended. When once the impugned order is set aside, the petitioner is entitled to

operate the Liquefied Petroleum Gas
Distributionship.”

3. In the present writ petition, the petitioner is praying for a direction to the 4th respondent to supply the Liquefied Petroleum Gas cylinders as per the licence. It is required to be noted that in the above order passed by this Court in W.P.No. 41331 of 2017, this Court observed that when once the impugned order is set aside, the petitioner is entitled to operate the Liquefied Petroleum Gas distributorship.

4. In the considered opinion of this Court, the present Writ Petition, obviously for a direction for implementation of the order in W.P.No. 41331 of 2017, is not maintainable. However, it is open for the petitioner to avail the remedies open for the petitioner.

5. With the above observations, the Writ Petition is accordingly disposed of at the admission stage. Miscellaneous applications pending, if any, stand closed.

A.V.SESHA SAI, J

Date: 26.04.2018
DMG