

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.24652 of 2017

ORDER:

Petitioner asserts that he was appointed as a dealer in respect of Fair Price Shop No.1 of Bhavanipet Village, Machireddy Mandal, Nizamabad District. While so, one A.Gangadhar Goud filed an appeal before respondent No.4-Revenue Divisional Officer, Kamareddy, on the ground that appointment of the petitioner is in violation of the guidelines notified in G.O.Ms.No.4, dated 19.02.2011. The appeal came to be allowed *vide* order, dated 18.12.2012, cancelling the appointment of the petitioner. Aggrieved by the same, the petitioner filed a revision before respondent No.2-District Collector, Kamareddy, who in turn dismissed the same *vide* order, dated 01.03.2013. Hence, this writ petition.

Learned counsel for the petitioner submits that 11 persons including the petitioner were appointed, without conducting any written test, through interview. He further submits that all necessary formalities with respect to reservations etc., have been followed. He also submits that while there is no interference with respect to the appointment of other ten dealers, the appointment of the petitioner was cancelled by respondent No.4 and respondent No.2 also confirmed the same by dismissing the revision filed by the petitioner.

Learned Government Pleader for Civil Supplies appearing for the respondents supports the impugned order by contending that on noticing that the appointment of the petitioner is in violation of the guidelines notified in G.O.Ms.No.4, dated 19.02.2011, respondent No.4 rightly cancelled the same, which cannot be found fault with.

There is no dispute that in G.O.Ms.No.4, dated 19.02.2011, the procedure for appointment of fair price shop dealers is prescribed, under which a written test is required to be conducted and it is only thereafter, interview is to be conducted by a committee, which would select the candidates. Admittedly, the petitioner came to be appointed without there being any written test. When the same was brought to the notice of the respondent authorities, they had rightly cancelled the appointment of the petitioner. It is nothing but setting right the wrong which has been done earlier.

In those circumstances, there being no merit, the writ petition is dismissed.

At this stage, learned counsel for the petitioner seeks a direction to the respondent authorities to notify the vacancy that is caused on account of cancellation of the appointment of the petitioner.

As there is a duty cast on the respondent authorities to appoint a dealer on permanent basis, if no permanent dealer is

appointed as on date, the respondent authorities shall take necessary steps therefor, by duly following the procedure.

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

CHALLA KODANDA RAM, J

Dt:02.05.2018

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