

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.38838 OF 2018

Date: 31.10.2018

Between:

M.G.Basha, s/o. late M.Ahmed Hussain,
Aged about 54 years, FP Shop Dealer for
Ward No.14, Shop No.22, Adoni town and
Mandal, Kurnool district.

.....Petitioner

and

The State of Andhra Pradesh, rep.by its
Principal Secretary, Civil Supplies Dept.,
Secretariat Buildings, Velagapudi,
Amaravathi, Guntur district and others.

.....Respondents



The Court made the following:

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ORDER:

In this writ petition, petitioner is challenging the notification dated 19.10.2018 calling for applications for the newly created Fair Price Shop No.1383072 of Ward No.14 of Adoni town, Kurnool District. Primarily challenge is on the ground that there was existing Fair Price Shop and by bifurcating existing Fair Price Shop, additional shop is now proposed.

2. However, it is appropriate to note that petitioner was granted Fair Price Shop Dealership bearing number above mentioned. By order dated 29.06.2015, authorization to run Fair Price Shop dealership was cancelled. The Appeal and the Revision preferred by the petitioner were rejected. Aggrieved thereby, petitioner filed W.P.No.2212 of 2017 and said writ petition is pending consideration of this Court.

3. Having regard to the fact that Fair Price Shop dealership granted to petitioner was already cancelled and the issue of said cancellation is pending consideration of this Court, *prima facie*, petitioner cannot challenge the bifurcation of Fair Price Shop in Ward No.14 of Adoni Town, merely on the ground that he was earlier holding Fair Price Shop, and has no locus standi to challenge the notification to create another Fair Price Shop, unless he succeeds in the writ petition pending before this Court.

4. Further, as petitioner seized to be dealer, challenge to the notification on the ground of non-compliance of principles of

natural justice and/or on the ground of non-fulfilment of the required ration cards to create additional shop is also not valid.

5. This Writ Petition is dismissed. However, it is made clear that appointment/creation of new Fair Price Shop in Ward No.14 of Adoni Town shall abide the result of Writ Petition No.2212 of 2017. The same shall be informed to prospective Fair Price Shop dealer. Pending miscellaneous petitions shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

Date: 31.10.2018
kkm



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