

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 18837 of 2019

ORDER:

In this writ petition, petitioner challenges the order dated 08.08.2019 passed by respondent No.3-Revenue Divisional Officer, Armour, Nizamabad District, suspending his fair price shop authorization pending disposal of the proceedings initiated under Section 6-A of the Essential Commodities Act.

The legal question raised in this writ petition as to whether it is permissible to suspend the authorization of the fair price shop dealer pending disposal of 6-A proceedings is no longer *res integra*. The issue is squarely covered by the judgments of this Court in **Shaik Raheema Vs. Joint Collector, Nellore and another¹**, **P.Hanumantha Rao Vs. Chief Rationing Officer, Twin Cities, Hyderabad and another²** and **P.Lakshminarasaiah Vs. Joint Collector, Cuddapah and another³**, wherein it was categorically held that initiation of 6-A proceedings itself does not authorize the Revenue Divisional Officer to suspend the authorization of the fair price shop dealer. In view of the same, the impugned order is liable to be declared as illegal.

In those circumstances, the writ petition is allowed and the impugned order is set aside.

Miscellaneous petitions, if any, pending in this writ petition shall also stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:29.08.2019
kdl

¹ 2008 (1) ALD 768

² 1993 (3) ALT 442

³ 1991 (1) ALT 174