

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.22671 of 2019

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Civil Supplies appearing for the respondents.

2. The petitioner was approved as a fair-price-shop dealer vide Authorization No.J/1473/2011 dt.22-06-2011. On certain allegations, her dealership was suspended. Thereafter, respondent-authorities have conducted enquiry and issued final orders vide proceedings dt.18-10-2017, wherein she was levied with a fine of Rs.1,000/- apart from confiscation of the seized goods. The said punishment of penalty was imposed on the ground that she had violated the provisions of the State Public Distribution (Control) Order, 2008, particularly clauses 17 (c), 5 (10), 6 (iii), 7 (i), 17 (b), 17 (c) and 22 (v). However, the petitioner had complied with the proceedings and paid the fine as imposed on her and that there was no cancellation of licence granted in her favour as on the date of imposition of fine. Hence, the petitioner's authorization was valid as the same has been renewed for every two years on her application, as per Authorization dt.22-06-2011.

3. In normal circumstances, after imposition of fine, the petitioner is entitled to continue to discharge functions as fair-price-

shop dealer. However, in the present case, she was not permitted to carry on the functions as such, in those circumstances, she had made representations on 06-11-2017 and 05-12-2017, which have not been considered by the 3rd respondent.

4. In those circumstances, the Writ Petition is allowed with a direction to the 3rd respondent to consider the afore-stated representations of the petitioner and take necessary steps in accordance with law and communicate the decision taken thereon to the petitioner within a period of four weeks from the date of receipt of a copy of this order. No costs.

5. Miscellaneous petitions pending in the Writ Petition, if any, shall stand closed.

JUSTICE CHALLA KODANDA RAM

Date: 18-10-2019.
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