APHC010496312026

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

Bench Sr.No:-36 [3584]

WRIT APPEAL NO: 1115 of 2026

Jallela Parvathi ...Appellant

Vs.

The State Of Andhra Pradesh and Others ...Respondent(s)

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CORAM : THE CHIEF JUSTICE LISA GILL

SRI JUSTICE CHALLA GUNARANJAN

DATE : 27th October 2026

Present:

Advocate for Appellant: K SRINIVAS

Advocate for Respondent: GP FOR CIVIL SUPPLIES

JUDGMENT: (per Hon'ble Sri Justice Challa Gunaranjan)

Unsuccessful writ petitioner filed present Intra-Court Appeal challenging order dated 12.08.2026 in W.P. No.8108 of 2026, whereby learned Single Judge dismissed the writ petition.

2. (a) The appellant/writ petitioner was appointed as Fair Price Shop dealer of subject shop in question. On account of inspection conducted on 02.11.2025, since it was found that there was variation in stock of fair price commodities, show-cause notice

dated 07.02.2026 was issued calling upon appellant to submit explanation. Considering explanation submitted, 2nd respondent, by impugned proceedings, cancelled the authorization, challenging the same, writ petition was preferred.

(b) Several contentions were advanced before learned Single Judge, eventually, having regard to the allegations levelled against appellant and explanation offered, the writ court came to conclusion that 2nd respondent was justified in cancelling authorization, and further inquiry was not tainted by violation of principles of natural justice. Learned writ court also found that writ petitioner, instead of availing statutory remedy as provided under Control Order, 2018, chose to file writ petition.

3. Heard Sri K.Srinivas, learned counsel appearing for appellant and learned Assistant Government Pleader, representing learned Government Pleader for Civil Supplies, for respondents.

4. Learned counsel for appellant, after arguing for some time, fairly submitted that as there were serious disputed questions of fact which require to be gone into upon appreciation of material evidence on record, the appellant be granted liberty to avail remedy of appeal as provided under Control Order, 2018.

5. Learned Assistant Government Pleader appearing for the respondents, on the other hand, submits that the appellant, having been unsuccessful in the writ petition, is precluded from availing statutory remedy of appeal.

6. On perusal of record, it is evident that in the explanation submitted, appellant had taken specific stand that alleged variation in stock was attributable on account of lesser supplies received from MLS point which was not in his control, that apart even to prove the same, none of card holders were ever examined to fix liability. Thus, the enquiry was vitiated and concluded on surmises and conjectures.

7. Though in the normal course we would not have appreciated and acceded to the request of availing statutory remedy at this stage of proceedings, given peculiar facts and circumstances, and considering that issues in controversy require to be examined based on evidence on record, we deem it appropriate to relegate appellant to avail statutory remedy of appeal, inasmuch as scope of judicial review under Article 226 is limited qua remedy of appeal.

8. Therefore, we dispose of this appeal by granting liberty to appellant to prefer statutory appeal as provided under Control

Order, 2018, which shall be filed within a period of two weeks from the date of receipt of copy of this order. The appellate authority is directed to entertain and dispose the same by affording due opportunity to the appellant in accordance with law within two months thereafter. It is needless to say that appellate authority shall consider and dispose the appeal uninfluenced by any of the observations made by learned Single Judge.

9. Accordingly, this writ appeal is disposed of. No costs.

As a sequel, miscellaneous petitions pending consideration, if any, in this case shall stand closed.

LISA GILL, CJ **CHALLA GUNARANJAN, J**

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