

THE HON'BLE SRI JUSTICE D.V.S.S.SOMAYAJULU

Writ Petition Nos. 16062 of 2019 and 14864 of 2020

COMMON ORDER:

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Civil Supplies in both the matters.

The first Writ Petition No.16062 of 2019 was filed questioning the order of suspension dated 17.09.2019 issued by the 2nd respondent, by which the fair price shop authorization of the petitioner was suspended. The matter is pending since then.

W.P.No.14864 of 2020 was filed as the enquiry pursuant to the proceedings dated 17.09.2019 was not finalized even by August, 2020.

Sri Mahadeva Kanthrigala, learned counsel for the petitioner argues that no proper show cause notice was given nor was any panchanama conducted before the authorities came to conclusion that the petitioner was contravening the law. Apart from that he submits that from 17.09.2019 till date the enquiry is not finalized. He points out that as per settled law in the subject and also the instructions issued by the department itself in 2015, all enquiries should be completed within a period of ninety (90) days from the date of suspension. He therefore argues that the petitioner is entitled to relief in both the writ petitions and more particularly in W.P.No.14864 of 2020.

In reply to this, the learned Assistant Government Pleader submits that in view of the Covid situation and as the petitioner also did not submit a proper explanation etc., the enquiry was not completed. He states that since the Covid situation is diminishing, the respondents are willing to complete the enquiry and proceed as per law.

The learned counsel for the petitioner then submits that an explanation has already been submitted to the alleged contravention and that the same is on the record of the respondent.

In that view of the matter and in view of settled law, there shall be a direction to the respondents to conclude the enquiry immediately and to pass a speaking order within four (4) weeks from the date of receipt of a copy of this order. The request for adjournments should not be made either by the petitioner or by the respondents and the matter should be concluded at the earliest.

With the above directions, both the Writ Petitions are disposed of. There shall be no order as to costs. As a sequel thereto, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE D.V.S.S.SOMAYAJULU

Date: 02.09.2020

Note:

Furnish C.C. by 07.09.2020

B/o

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Dated: 02.09.2020

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