

**THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY**

**WRIT PETITION No.16608 OF 2019**

**ORDER:-**

This Petition is filed under Article 226 of the Constitution of India, challenging the order passed by the 3<sup>rd</sup> respondent vide proceedings bearing Dc.No.25/2019/G6, dated 22.08.2019, suspending the authorization of the petitioner for the Fair Price Shop No.0217034 of Dasupeta Village, Vijayanagaram District.

2. The contention of the petitioner is that the petitioner filed an appeal before the District Collector i.e., 2<sup>nd</sup> respondent under Clause 20 (4) of Andhra Pradesh State Targeted (Public Distribution System) Control Order, 2018. When the appeal is pending, the petitioner cannot approach this Court to prosecute the proceedings both in High Court and before the appellate authority as District Collector, merely because the District Collector did not pass any order, this Court cannot exercise power under Article 226 of the Constitution of India to pass an order and, therefore, the petition is dismissed, while directing the 2<sup>nd</sup> respondent to pass appropriate order in the appeal pending before 2<sup>nd</sup> respondent within two weeks from the date of receipt of this order and learned counsel for the petitioner is permitted to supply copy of the order to District Collector enabling 2<sup>nd</sup> respondent to dispose of the pending appeal in accordance with law.

3. With the above direction, the writ petition is disposed of at the stage of admission itself. No costs.

Consequently, miscellaneous applications pending, if any,  
shall stand dismissed.

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**JUSTICE M.SATYANARAYANA MURTHY**

Date : 24.10.2019  
RJS

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