

IN THE HIGH COURT OF KARNATAKA
 CIRCUIT BENCH AT GULBARGA
 DATED THIS THE 29th DAY OF JUNE 2012
 BEFORE

THE HON'BLE MR. JUSTICE A N VENUGOPALA GOWDA
WRIT PETITION NO. 81509/2010(GM-PDS)

BETWEEN:

SRI.MUREGAPPA
 S/O SHIVAMURTHY KOPPAD,
 AGED ABOUT 85 YEARS,
 R/O SHANTINIKETAN COLONY,
 BAGALKOT ROAD, BIJAPUR.

: PETITIONER

(BY M/S. SHIVAYOGIMATH ASSOCIATES, ADVS.)

AND:

1. THE COMMISSIONER FOR
FOOD AND CIVIL SUPPLIES, BANGALORE.
2. THE DEPUTY COMMISSIONER, (FOOD)
BIJAPUR, DIST: BIJAPUR.
3. THE ASSISTANT DIRECTOR OF
FOOD AND CIVIL SUPPLIES,
BIJAPUR.
4. THE TAHSILDAR
TQ AND DIST: BIJAPUR.
5. THE SECRETARY
VIJAYA CONSUMER CO-OPERATIVE
SOCIETY, SHOP NO.29,
NEAR KALIKA TEMPLE,
BIJAPUR.

: RESPONDETNs

(BY SRI: SHIVAKUMAR R. TENGLI, AGA)

THIS PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE
 CONSTITUTION OF INDIA RAYING TO ISSUE A WRIT OF

CERTIORARI, QUASHING THE IMPUGNED ORDER DATED 02-03-2010 PASSED BY THE 2ND RESPONDENT AND ORDER DATED 30-03-2010 PASSED BY THE 1ST RESPONDENT VIDE ANNEXURES-C AND E, RESPECTIVELY.

THIS PETITION COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Petitioner was granted authorisation to distribute foodgrains and kerosene. Licence issued to the petitioner was suspended on 02.03.2010. Petitioner submitted his explanation cum application on 10.03.2010 to the 2nd respondent and thereafter filed appeal No.191/09 before the 1st respondent. The appeal was rejected and the 2nd respondent was directed to decide the matter. This writ petition is directed against an order at Annexure-C, suspending the licence and the rejection of appeal on 30.03.2010 vide Annexure-E.

2. There is no interim order passed in this writ petition. Since the 1st respondent has directed the 2nd respondent to decide the matter within a time limit, there is no need to entertain this writ petition as against Annexure-E.

3. In view of the direction issued by the 1st respondent to the 2nd respondent, the invalidity or otherwise of Annexure-C will have to be considered by 2nd respondent and an order passed.

In the said view of the matter, the writ petition stands dismissed. 2nd respondent to comply with the direction issued by the 1st respondent in the order at Annexure-E.

No costs.

Sd/-
JUDGE

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