

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.34460 of 2015

ORDER:

This writ petition is filed assailing the Memo dated 17.08.2015 issued by the Deputy Secretary to the Government, Industries and Commerce (Mines.I) Department, Government of Andhra Pradesh.

The impugned Memo was issued by the Government in exercise of revisionary powers. However, perusal of the Memo shows that no reasons were put forth by the revisionary authority as to why a One Time Penalty (OTP) was being imposed.

Learned counsel for the petitioner states that no offer was made by the petitioner to pay such OTP.

It is a settled position of law that a quasi-judicial authority must necessarily record reasons underlying the order passed by such authority while exercising statutory appellate/revisionary powers. The impugned Memo dated 17.08.2015 does not fulfil this requirement.

On this short ground, the impugned Memo dated 17.08.2015 is set aside and the matter is remitted to the revisionary authority for consideration of the petitioner's revision afresh. The revisionary authority shall give due opportunity of hearing to the petitioner and thereafter pass a reasoned order.

The writ petition is accordingly allowed.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

SANJAY KUMAR, J

Date:14.10.2015

GJ

