

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

WRIT PETITION No. 17787 OF 2010

07-08-2015

Between:

V. Mani Kumar

... Petitioner

And

The Regional Commissioner, Coal Mines Provident Fund Organization, Regional
Office, Godavarikhani, Karimnagar District, Andhra Pradesh

... Respondent

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ORDER: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

The petitioner, in this writ petition under Article 226 of the Constitution of India, seeks the following relief:

“For the reasons stated in the accompanying affidavit, the petitioners herein therefore prayed that this Hon'ble Court may be pleased, in the interest of justice to issue a writ of mandamus or any other appropriate writ or direction or order declaring the orders passed by the respondent vide Lr.No.CPF/GDK/Vol.I/ESTATE/1554, dt.16.6.2010 as illegal, arbitrary, unjust and one sided by setting aside the same as the same is contrary to the Allotment of quarters conditions dated 02.04.2001 and OM No. 12035/25/95, dated 31.07.2000 and pass such other order or orders as this Hon'ble Court may deem fit and proper, else petitioner will suffer grave and irreparable loss.”

This Court while admitting the writ petition on 26-07-2010 granted interim suspension of the order dated 16-06-2010. By this order, the petitioner was directed to pay penal rent for retaining quarter No.11 of Type – II at NEDP Centre, Hyderabad for the period between 01-10-2009 and 30-05-2010. It is not in dispute that the petitioner vacated the premises in June, 2010. This Court is informed that the petitioner made a representation dated 25-06-2010 in response to the order dated 16-06-2010 requesting the Regional Commissioner to waive penal rent in the light of the relevant rules.

Having considered over all facts and circumstances of the case,

I am satisfied that this writ petition can be conveniently disposed of by the following order:

“The respondent – Regional Commissioner shall consider the petitioner's representation date 25-06-2010 sympathetically in the light of the relevant rules, as expeditiously as possible and preferably within a period of 12 weeks from the date of receipt of this order. If the respondent is not inclined to allow the prayer made by the

petitioner in the representation, he shall grant an opportunity of being heard to the petitioner before passing final order thereon. All contentions of the parties on merits are kept open. Learned counsel appearing for the respondent is directed to communicate this order to the respondent within four weeks from today.”

With these observations, the writ petition is disposed of.

Miscellaneous petitions, if any, also stand disposed of. No order as to costs.

DILIP B. BHOSALE, ACJ

07-08-2015

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