

HON'BLE MR JUSTICE R. KANTHA RAO

Writ Petition No.17206 OF 2015

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DATE:16.06.2015

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BETWEEN:

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N. Satyanarayana Murthy .. Petitioner

And

A.P. Cooperative Oil Seeds Growers Federation Limited, Hyderabad and two others

.. Respondents

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.17206 OF 2015

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ORDER:

Heard Sri Vedula Venkata Ramana, the learned Senior Counsel appearing for the petitioner, Sri T.S. Praveen Kumar, the learned Standing Counsel appearing for the respondents 1 and 2 and the learned Government Pleader for Food and Agriculture appearing for the third respondent.

2. This writ petition is filed challenging the suspension order, dated 09.06.2015 issued by the first respondent-Federation and to set aside the same on the ground that it is arbitrary and illegal.

3. The petitioner was the Manager (Bulk Marketing) at relevant time in the first respondent Federation. M/s. Blossoms Oil and Fats Limited, Yanam is one of the customers of the first respondent Federation who used to purchase substantial quantities of Crude Palm Oil (CPO) from the first respondent Federation by issuing post dated cheques for the price of the goods. The Federation used to purchase Crude Palm Oil on receiving the post dated cheques and this practice was in vogue till 01.12.2014. However, certain cheques issued by the said customer for huge amounts were bounced. Some third parties sent petitions to the Federation as well as

Lokayukta about bouncing of cheques for huge amounts which resulted in huge loss to the Federation and this fact came to the notice of the Federation and the Federation by the impugned order, dated 09.06.2015 kept the petitioner under suspension.

4. Sri Vedula Venkata Ramana, the learned Senior Counsel appearing for the petitioner would submit that M/s. Blossoms Oil and Fats Limited, Yanam was allowed by the Federation since long time to issue post dated cheques and the petitioner who is not aware of bouncing of cheques cannot be placed under suspension and the suspension order requires to be revoked.

5. On the other hand, the learned Standing Counsel appearing for the respondents 1 and 2 would submit that the order of suspension is only pending enquiry and the petitioner was placed under suspension for not bringing to the notice of the Federation about bouncing of cheques and continuing to issue the goods on receiving the post dated cheques, and thus, the petitioner was rightly placed under suspension.

6. Having gone through the submissions made by the learned counsel on either side, I am of the view that as the suspension order which is impugned in the present writ petition is passed pending enquiry, it would be appropriate to direct the respondents to complete the enquiry within a reasonable time.

7. Consequently, the writ petition is disposed of directing the respondents to complete the enquiry within a period of three months from the date of receipt of a copy of this order and pass final orders. If the enquiry is not completed within the above stipulated period, the suspension order shall stand revoked. There shall be no order as to costs. Miscellaneous petitions, if any, filed in this writ petition shall stand closed.

R.KANTHA RAO, J

Date:16.06.2015

ccm

THE HON'BLE SRI JUSTICE R.KANTHA RAO

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