

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

THE HON'BLE SRI JUSTICE S.V. BHATT

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Writ Appeal No.880 of 2015

And

Writ Petition No.30081 of 2015

Date:30.09.2015

Writ Appeal No.880 of 2015

Between:

State of Andhra Pradesh,

Represented by its Secretary to Government,

Cooperation and Marketing Department,

Hyderabad and others.

Appellants

And

The Managing Committee,

Ravivalasa Primary Agricultural Cooperative Society Ltd.,

Vizianagaram and others.

... Respondents

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PC: (Per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Writ Appeal No. 880 of 2015 is arising from the order dated 16.9.2015 passed in W.P.M.P. No. 38929 of 2015 in Writ Petition No. 30081 of 2015, whereby, the learned Single Judge has suspended the order impugned in the writ petition dated 7.9.2015, passed in R.C. No. 885/2014-C. By this order, the Managing Committee of respondent No.14-Society was superseded after issuing show cause notice dated 4.8.2015.

Ms. Vidyavathi, learned Government Pleader for Cooperation appearing for the appellants, on instructions, submits that the appellants may be permitted to withdraw the show cause notice dated 4.8.2015, with liberty to the concerned appellant to issue fresh show cause notice or initiate fresh proceedings against the respondent-society and/or the members of its Managing Committee.

Mr. C.V. Mohan Reddy, learned Senior Counsel appearing for the respondents-writ petitioners has no objection for allowing to withdraw the show cause notice dated 4.8.2015, with liberty as prayed. He further submits that all contentions of the respondents-writ petitioners may be kept open to be considered, if any such notice is issued or proceedings are initiated against them.

In the circumstances, we are satisfied that the following order would meet the ends of justice.

"The appellants are allowed to withdraw the show cause notice dated 4.8.2015, with liberty to issue fresh show cause notice or to initiate proceedings

against the respondent-Society and/or the members of its Managing Committee, who are respondents in the appeal afresh. If any such action is taken, we hope and trust that the concerned authority shall follow the due procedure and so also, the principles of natural justice. All contentions of the parties are kept open.”

In view of withdrawal of the show cause notice dated 4.8.2015, order dated 7.9.2015 passed by appellant No.5-Deputy Registrar of Cooperative Societies renders ineffective. Similarly, the order passed in W.P.M.P. No. 38929 of 2015 in Writ Petition No. 30081 of 2015, also renders ineffective.

The writ petition as well as the writ appeal are accordingly disposed of.

Consequently, pending miscellaneous applications shall also stand closed.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

30th September, 2015

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