

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

PRESENT

THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

THE HON'BLE SRI JUSTICE S.V.BHATT

PUBLIC INTEREST LITIGATION No.169 OF 2014

DATED: 08.06.2015

Between:

N.Mohan Kumar

... Petitioner

and

State of Andhra Pradesh and others

... Respondents

THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

THE HON'BLE SRI JUSTICE S.V.BHATT

PUBLIC INTEREST LITIGATION No.169 of 2014

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

Heard learned counsel for the parties.

In this Public Interest Litigation, the petitioners seek to challenge the memo, dated 14.11.2012 whereby the revision application filed by the seventh respondent against the demand notice, dated 30.09.2009 has been allowed in exercise of the powers under Rule 35-A of the Andhra Pradesh Minor Mineral Concession Rules, 1966.

The Principal Secretary, Industries and Commerce, Government of Andhra Pradesh has filed counter-affidavit on behalf of respondent No.1 and in the last paragraph made a statement that if the Court finds that the memo impugned is wrong, it may be set aside and the matter be remanded to the authority for passing appropriate orders afresh.

Learned Advocate General fairly submits that in view of the counter-affidavit, the memo impugned may be set aside and the matter be remanded to the State Government for passing a fresh order on the revision application filed by the seventh respondent challenging the demand notice, dated 30.09.2009.

Learned counsel for the petitioners also has agreed for adopting such course of action.

Hence, we dispose of this PIL by the following order:

“The memo, dated 14.11.2012 is set aside. The revision application filed by the seventh respondent is restored to file. The first respondent shall consider the revision afresh as expeditiously as

possible and preferably within a period of 12 weeks from today. It is needless to mention that the first respondent shall consider the revision on merits in accordance with law. All contentions of the parties are kept open.”

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

8th JUNE, 2015.

S.V. BHATT, J

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