

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

WRIT APEAL No. 363 OF 2015

02-06-2015

Between:

Bade Narasinga Rao

... Appellant

And

Karri Appa Rao and five others

... Respondents

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HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

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WRIT APEAL No. 363 OF 2015

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

This writ appeal is directed against the order dated 10-04-2015 allowing Writ Petition No. 10304 of 2015. By this order, the notice that was impugned in the writ petition has been suspended. The notice was issued to respondent Nos.1 and 2 by the Additional Assistant Engineer (Operations), APEPDCL, respondent No.4, to show the cause as to why service connection be not disconnected which was allegedly obtained by them on the basis of the documents without having title over the property.

The writ appeal is filed by one Bade Narasinga Rao, son of Dasanna, who claims that the action was initiated by the Additional Assistant Engineer (Operations) against respondent Nos.1 and 2 on the basis of his complaint and that he was not added as party to the writ petition.

Keeping that in view and considering that only the show cause notice was challenged in the writ petition, in our opinion, this writ appeal can be conveniently disposed of by the following order:

“Respondent Nos. 1 and 2 shall submit their reply to the show cause notice within a period of four weeks from today. The Additional Assistant Engineer (Operations), who issued the show cause notice, shall decide the same after giving an opportunity of being heard to the appellant and respondent Nos.1 and 2. It is open to the parties to place all the documents that they desire to rely upon in support of their case before the Additional Assistant Engineer (Operations). It is needless to mention that the Additional Assistant Engineer (Operations) shall decide the show cause notice on merits in accordance with law, as expeditiously as possible and preferably within a period of eight weeks from the date of receipt of the reply that will be filed by respondent Nos.1 and 2 to the show cause notice. Till the show cause notice is finally decided, service connection shall not be disconnected. This interim protection shall remain operative for a period of 15 days after the disposal of the show cause notice, if the order is adverse to respondent Nos.1 and 2.”

With these observations, the writ appeal is disposed of.

Miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

02-06-2015

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