

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION Nos.38317, 38335, 38358, 38360, 38364,
38369, 38374, 38393 and 38396 of 2016

ORDER:

Heard Mr. Vedula Srinivas for petitioners and learned Government Pleader for Agriculture and Co-operation for respondents.

2. I have taken note of submissions of Mr. Vedula Srinivas for petitioners and also the submissions made by Government Pleader from the record.

3. Learned Government Pleader admits to the extent that proceedings dated 15.10.2016 does not contain reasons and the Department has enough reasons and material in support of proceedings challenged in the writ petition. The complaint of writ petitioner is that undisclosed and uninformed material cannot and could not be relied upon by third respondent to sustain proceedings dated 15.10.2016. The jurisdiction either to sustain or cancel the proceedings is not raised in the instant writ petition.

Having regard to the admission of Government Pleader that proceeding dated 15.10.2016 is a non-speaking order, I am satisfied that without expressing any view on the merits, the writ petitions can be disposed of by this order.

- a) Proceedings dated 15.10.2016 shall be treated as suspension pending enquiry into the charges noticed in the show cause notice dated 30.09.2016.
- b) The second respondent is directed to send by e-mail to petitioner the entire material on which the third respondent is relying upon by today evening.

- c) The petitioners are given three days time to submit further explanation, if so advised.
- d) The second respondent conducts enquiry into the show cause notice on 11.11.2016 and passes appropriate orders positively, after taking note of all legal and factual objections, on or before 12.11.2016.

The writ petitions are disposed of accordingly. No order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

November 8, 2016
Note: Furnish C.C. today.
(B/ o) DSK

S.V.BHATT, J

