

**HON'BLE SRI JUSTICE S.V.BHATT**

**W.P.No.15444 OF 2006**

**ORDER:**

The petitioner challenges communication dated 15.07.2006 in Ref.No.SRP/PER/20.003/5249, as arbitrary and unconstitutional.

Through the communication impugned in the writ petition, the respondent directed vacation and recovery of penal rent from petitioner. On 27.07.2006, this Court directed maintenance of status quo until further orders.

The respondent neither filed counter nor sought vacation of the interim order dated 27.07.2006.

There is no representation for the petitioner. Heard Mr.Pattabhi Rama Rao for respondent.

The grievance of petitioner is that the impugned communication is sent as a surprise and he was never put on notice about any of the conclusions arrived at in impugned communication. This aspect cannot and could not be gone into independently and decided in the writ petition as no counter affidavit is filed. However, keeping in view the interim order dated 27.07.2006, the writ petition is disposed of by making the interim order as final order. The petitioner is given liberty to treat the impugned communication as show cause notice, give reply to respondent within three months from the date of receipt of a copy of this order. The respondent is directed to consider the reply, take appropriate decision and communicate to petitioner. Till a decision is taken and communicated to petitioner, the interim order shall be in operation. No order as to costs.

Miscellaneous petitions pending if any shall stand closed.

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**S.V. BHATT, J**

Date:18.08.2016

Stp