

THE HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO

WRIT PETITION No.24317 of 2016

ORDER:

The petitioner has filed this writ petition challenging the notice Rc.E11 – 105751, 117324, 117326, 117328, 117329, 117331& 117330/2016, dated 13-06-2016 issued by the 3rd respondent terminating the contract awarded to the petitioner for supply of contract workers for maintenance of water supply, etc., in Circle-2 area for the period of April and May, 2016.

Learned counsel for the petitioner contends that the impugned order has been passed terminating the petitioner's contract without issuing any prior notice and without allowing the petitioner to explain the correct factual situation with regard to payment of wages to the contract workers engaged by the petitioner.

Learned Standing Counsel for 3rd respondent does not dispute the fact that the impugned notice is not preceded by any show cause notice to the petitioner. The impugned notice also does not disclose that the action of termination of the petitioner's contract was initiated by the 3rd respondent after issuing a prior notice to the petitioner. Since the impugned notice of the 3rd respondent is in gross violation of principles of natural justice it is set aside.

The said notice, dated 13-06-2016 shall be construed as show cause notice to the petitioner and the petitioner shall submit

explanation thereto within a period of two (2) weeks from the date of receipt of a copy of this order and the 3rd respondent shall then pass reasoned order after considering the petitioner's explanation and communicate the said order to the petitioner. Till then, no coercive steps shall be taken against the petitioner by the respondents.

The writ petition is allowed as above.

Miscellaneous Petitions pending, if any, shall stand closed.
There shall be no order as to costs.

M.S. RAMACHANDRA RAO, J

July 28, 2016

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THE HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO

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July 28, 2016

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