

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.40293 of 2016

Date: 23.11.2016

Between:

M/s LEE Pharma Limited,
Corp.Office at Sy.No.257 & 258/1,
Door No.11-6/56, C Block,
Opp.IDPL Factory, Balanagar (Post),
Hyderabad, rep.by its General Manager,
Sri B.Mohan Rao s/o. late Bhadrayya.

.....Petitioner

and

State of Telangana, rep.by its
Principal Secretary, Industries and
Commerce, Secretariat, Hyderabad and
others.

.....Respondents



The Court made the following:

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ORDER:

Heard Sri V.Hari Haran, learned counsel for petitioner, learned Special Government Pleader (TG) for respondent no.1, and Sri V.Venkateswar Rao, learned counsel for respondent no.3.

2. Petitioner-company challenges the order of Telangana Micro and Small Enterprises Facilitation Council at Hyderabad (2nd respondent) dated 19.08.2016.

3. In addition to several other contentions urged, Sri Hari Haran, learned counsel for petitioner contended primarily that order under challenge is not sustainable on the sole ground that order is bereft of reasons; after noting down the respective contentions, straightaway penalty is imposed. No reasons are assigned in support of the decision and how objections of the petitioner are not maintainable. He would submit that quasi-judicial authority can not pass such an order.

3. Learned Special Government Pleader as well as learned counsel appearing for 3rd respondent fairly submit that the order impugned does not contain the reasons in support of the decision. All the counsels agree for remitting the matter for consideration by the respondent-Council afresh.

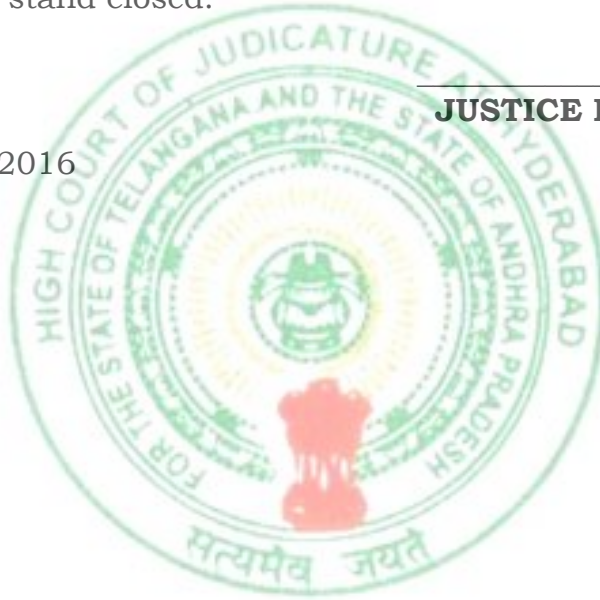
4. Having regard to the said submissions, without expressing any opinion on merits, leaving open all other issues to be agitated in appropriate proceedings, the order under challenge is set aside solely on the ground that it is not supported by reasons and the

matter is remitted to the respondent-Council for consideration of the matter afresh from the stage of submission of pleadings, if necessary, by affording opportunity of hearing to the respective parties and pass orders by assigning due reasons in support of their decision. Such decision, as directed above, shall be made as expeditiously as possible, preferably within a period of two months from the date of receipt of copy of this order.

5. Writ petition is allowed accordingly. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

Date: 23.11.2016
kkm

JUSTICE P.NAVEEN RAO



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