

HON'BLE SRI JUSTICE CHALLA KODANDA RAM
WRIT PETITION No.5573 OF 2016

ORDER:-

Order dated 12.02.2016 passed by the second respondent-District Panchayat Officer, Adilabad District, is questioned in this writ petition on the ground that though the petitioner has submitted a detailed explanation to the show cause notice, except stating that the explanation is not convincing (typed as convenient), there is no consideration whatsoever of the contents of the explanation.

A perusal of the impugned order leaves no manner of doubt that the explanation submitted by the petitioner on 18.01.2016 in response to the show cause notice dated 06.01.2016 was not at all considered and further, no opportunity of hearing was given to the petitioner.

Learned Government Pleader for Panchayat Raj fairly submits that the impugned order may be set aside by remanding the matter to respondent No.2 to consider the explanation of the petitioner and pass appropriate orders.

In the circumstances, the impugned order dated 12.02.2016 is set aside. Respondent No.2 shall consider the explanation submitted by the petitioner and pass appropriate orders, after giving an opportunity of hearing either to the petitioner or his counsel, within a period of four weeks from the date of receipt of a copy of this order.

The Writ Petition is accordingly allowed. As a sequel to disposal of the Writ Petition, W.P.M.P.No.7084 of 2016 filed by the petitioner for interim relief shall stand disposed of as infructuous. There shall be no order as to costs.

JUSTICE CHALLA KODANDA RAM

Date:29.02.2016
Ssv