

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40600 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to declare the action of respondent No.4 in not taking up and deciding the statutory appeals filed by the petitioners against the proceedings, dated 19.8.2016, of respondent No.1 relating to the cancellation of “No objection certificate” of the firework shops of the petitioners as illegal and arbitrary and consequently, direct respondent No.4 to decide the appeals filed by the petitioners after giving notice and an opportunity of hearing to the petitioners.

2. Case of the petitioners is that vide order, dated 19.8.2016, respondent No.1 cancelled the ‘No Objection Certificate’ issued to the firework shops of the petitioners situated at Sri Krupa Market, Malakpet, Hyderabad on the ground that it is absolutely necessary to do so in the interest of public safety. Challenging the same, the petitioners preferred appeals before respondent No.4, but the same were not disposed of till date; that as the appeals are not disposed of by respondent No.4, the petitioners could not run the fireworks business and hence, prays to direct respondent No.4 to dispose of the appeals filed by the petitioners after giving notice and an opportunity of hearing to them.

3. Heard and perused the material available on record.

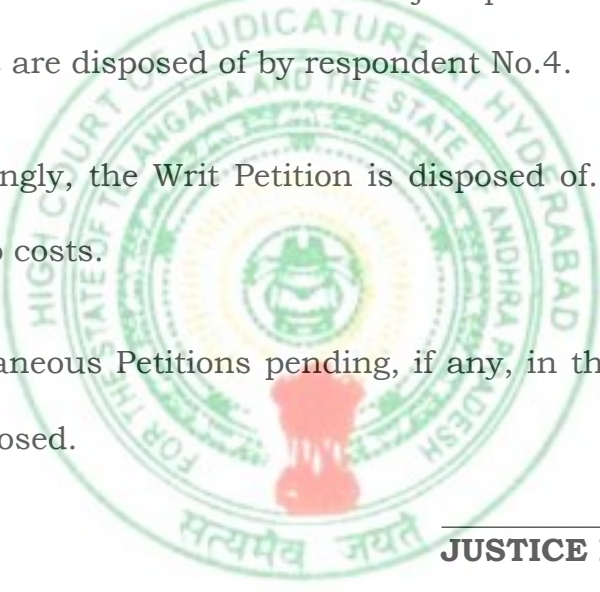
4. Considering all the facts and circumstances of the case, this Court is of the view that the writ petition can be disposed of with the following direction:

Respondent No.4 is directed to dispose of the appeals filed by the petitioners challenging the proceedings, dated 19.8.2016, of respondent No.1 herein on or before 25.12.2016. If respondent No.4 fails to dispose of the said appeals within the stipulated period, the petitioners are at liberty to run the firework business in the subject premises till the appeals are disposed of by respondent No.4.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

23.11.2016
AMD



JUSTICE RAJA ELANGO

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Date: 23.11.2016

AMD