

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION NO.46575 OF 2016

O R D E R :

This writ petition is filed challenging the show cause notice dated 19.12.2016 bearing Lr.No.1879/2016/A3 prohibiting the cheque power of the petitioner for a period of three (03) months..

Learned counsel for the petitioner submits that earlier when the cheque power of the petitioner was withdrawn, petitioner submitted explanation and after satisfying with the explanation submitted by the petitioner, the cheque power was restored on 06.12.2016 warning the petitioner to rectify certain mistakes, for which the petitioner submitted his explanation on 15.12.2016 for compliance of the same. Without considering the same, the present impugned show cause notice was issued.

On the other hand, the learned Assistant Government Pleader for Panchayat Raj and the learned Standing counsel for the respondents submits that since there is no proper compliance of the mistakes committed by the petitioner, the present show cause notice was issued, for which the petitioner can submit his explanation.

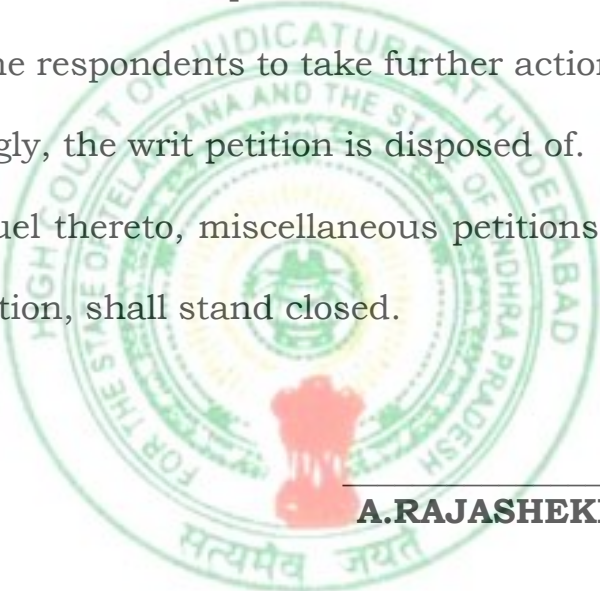
A reading of the impugned proceedings goes to show that it is only a show cause notice withdrawing the cheque power of the petitioner for a period of three (03) months, for which, the petitioner can submit his explanation. While restoring the cheque power on 06.12.2016, the petitioner was asked to rectify certain mistakes. In compliance of the same, the petitioner has deposited

certain amounts. Only on the ground of not depositing the interest, the present show cause notice was issued.

In view of the above facts and circumstances, the petitioner is permitted to submit explanation to the impugned show cause notice within a period of two (04) weeks from today. On such explanation being filed, the 3rd respondent is directed to pass final orders after giving opportunity of hearing to the petitioner. Further, the direction in the show cause notice to withdraw the cheque power of the petitioner is suspended. However, if the petitioner fails to submit explanation within the aforesaid period, it is open for the respondents to take further action.

Accordingly, the writ petition is disposed of. No costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.



A.RAJASHEKER REDDY, J

30.12.2016
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