

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.27290 of 2016

ORDER:

Heard Sri P.Raghavender Reddy for petitioner, Assistant Government Pleader (Panchayat Raj) for respondents 1 to 3 and Sri G.Narender Reddy for respondent 4.

The petitioner challenges Communication/Notice No.G.P.N/2016, dated 09-08-2016, canceling the contract granted in his favour, as illegal and arbitrary.

The case of petitioner is that in open auction conducted on 17.03.2016 for grant of contract in respect of collection of fees in goat market of Navipet Village and Mandal for the year 2016-2017, he stood as the highest bidder. The 4th respondent – Gram Panchayat entered into an agreement with the petitioner on 01.04.2016. The Communication/Notice impugned in the writ petition is straightaway issued without affording opportunity to petitioner and consequently basing upon a news item published in Namasthe Telangana Telugu Daily, and for these reasons, the Communication/Notice is liable to be set aside.

Sri G.Narender Reddy representing the 4th respondent after considering carefully the tenor of communication dated 09.08.2016 submits that the apprehension voiced by the

petitioner that a decision for all purposes is taken without affording opportunity to petitioner and communicated cannot be disputed. He further submits that the Communication/Notice impugned in the writ petition can be treated as show-cause notice and the petitioner can be given liberty to submit explanation and the authorities will decide the matter in accordance with law.

His statement is placed on record.

The writ petition is disposed of as follows:-

The Communication/Notice impugned in the writ petition is treated as show-cause notice. Petitioner is given two weeks from the date of receipt of a copy of this order to submit explanation and the 3rd respondent - District Panchayat Officer is directed to look into the alleged unauthorized or illegal conduct of auction on 17.03.2016, take a comprehensive decision if circumstances warrant on petitioner as well as the Secretary of Gram Panchayat. Till a decision is taken and communicated, the interim order granted by this Court shall remain in operation.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 22-12-2016

v v

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22-12-2016

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