

HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.27803 of 2005

ORDER:

The petitioner challenges the notice dated 17.05.2005 and letter dated 30.08.2005 issued by the 1st respondent, as arbitrary illegal and without jurisdiction.

Heard the learned counsel appearing for the petitioner and the learned Government Pleader for Cooperation.

I have perused the impugned notice as well as the letter, the challenge is both on procedural lapses and on merits, having regard to the explanation submitted by the petitioner on 03.11.2005, I am satisfied that the Writ Petition can be disposed of by this order. The impugned notice and letter is directed to be treated as show cause notice. As the petitioner has already submitted explanation on 03.11.2005 to the 1st respondent, the 1st respondent is directed to treat the impugned notice/letter as show cause notice, consider the explanation dated 03.11.2005, afford opportunity to the petitioner and if circumstances warrant, conduct enquiry and pass final orders, within a period of two(2) months from the date of a receipt of a copy of this order. Till a decision as directed by this

order is taken by the 1st respondent, the interim order granted on 02.11.2007 shall be continued.

With the above directions, this Writ Petition is disposed of. No costs.

_____ Miscellaneous petitions pending if any, shall stand closed.

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S.V. BHATT, J

Date: 15.06.2016
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