

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION No.24202 of 2016

ORDER:

Vide the present petition, the petitioner has challenged the order dated 04.07.2016, vide proceedings in Rc.No.B3/123/2016, whereby licence of the petitioner for toddy shop counter No.5 situated at Tamsi Village and Mandal, Adilabad District, was suspended.

Learned counsel appearing on behalf of the petitioner submits that, without issuing any notice and without giving any opportunity to the petitioner, the impugned order has been passed which is in violation of principles of natural justice and conditions of licence.

After some arguments, learned counsel appearing on behalf of the petitioner submits that, vide show cause notice dated 04.07.2016, the petitioner is put to show cause as to why his licence should not be cancelled for committing the offence of adulterating toddy with Chloral Hydrate violating the rules and possessing raw Chloral Hydrate without any licence, and his explanation, if any, in his defence, should reach the office of respondent No.4 within seven days from the date of receipt of the notice, otherwise further course of action for cancellation of licence will be contemplated on the material available on record.

As stated by the learned counsel for the petitioner that, vide order dated 04.07.2016, Rc.No.B3/123/2016, respondent No.4 also suspended the licence of the petitioner, however, passed an order pursuant to the show cause notice dated 04.07.2016 which is at page No.12 of the paper book.

Keeping in view the averments made in the Writ Petition and the submissions of the learned counsel for the petitioner, I

find no discrepancy in the order passed by respondent No.4. However, I direct the respondents to conduct enquiry and conclude the same within a period of three weeks from today after giving due opportunity to the petitioner and pass orders as per law. Respondents shall grant liberty to the petitioner to reply to the show cause notice which is at page No. 12 of the paper book.

The Writ Petition is, accordingly, disposed of. Miscellaneous Petition pending, if any, shall also stand disposed of. However, in the circumstances, without costs.

SURESH KUMAR KAIT, J

Dt:22.07.2016

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