

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION No.24306 OF 2016

ORDER:

Vide the present petition, the petitioner has assailed order, dated 19.07.2016, whereunder the petitioner's business situated at Shop No.21-2-43, Osmania Bazar, Hyderabad, is directed to be closed immediately.

2. Learned counsel appearing on behalf of the petitioner has drawn the attention of this Court to para 2 of the impugned order, whereunder it is stated that though eight (08) months time elapsed, petitioner has not given any reply to the show cause notice, dated 06.11.2015, but, the petitioner has given reply on 12.11.2015 to the said show cause notice; that he further drawn the attention of this Court to reply, dated 12.11.2015 to the show cause notice, dated 06.11.2015, however, while passing the impugned order, the said reply has not been considered.

3. Learned counsel appearing on the behalf of respondents fairly concede that the reply filed by the petitioner has not been considered, but, however, he prays the Court that the petition may be disposed of by directing the petitioner not to keep the salable materials on the footpath, for which learned counsel for the petitioner agreed and assured this Court that the petitioner will confine his business in the shop only.

4. Pursuant to the show cause, dated 06.11.2015, the petitioner has given reply, but the same has not been considered. Hence, this Court set aside the impugned show cause notice, dated 19.07.2016, directing the respondents to consider the reply, dated 12.11.2015, filed by the petitioner and pass appropriate orders thereon within a period of three (03) weeks from the date of receipt of a copy of this order and communicate the same to the petitioner within one week thereafter. If

the petitioner is still aggrieved by the action or inaction of the respondents, the petitioner may approach appropriate Forum.

5. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

SURESH KUMAR KAIT, J

JULY 22, 2016

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THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT

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WRIT PETITION No.24306 OF 2016
Date: 22.07.2016