

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.37487 of 2016

ORDER:

Heard Mr. K. Ramesh Babu for petitioner and learned standing counsel for respondent No.3.

2. Petitioner challenges notice dated 04.06.2016 on various factual and legal grounds. One of the objections of petitioner is that petitioner was not afforded opportunity by respondent No.3. It is contended that assuming that a few allegations can be stated against petitioner, still passing final order without affording opportunity is illegal and unsustainable. Petitioner prays for setting aside the notice as without basis.

3. Learned standing counsel representing third respondent contends that the notice is self-explanatory on alleged misrepresentation made by petitioner. The petitioner shall not be allowed to take advantage of NOC granted by the Gram Panchayat on such misrepresentation. He further submits that the gram panchayat has no objection to receive explanation from petitioner, verify the reply and pass further orders within reasonable time.

Having regard to the limited submissions of learned counsel for the parties, the writ petition is disposed of by this order:

- a) Petitioner is given two (2) weeks time from today to submit explanation to third respondent on the allegations set out in notice dated 04.06.2016.

- b) Third respondent to consider and take appropriate decision as is warranted from the facts and circumstances of the case and communicate the same to petitioner within a further period of two (2) weeks.

As a sequel, the miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

November 2, 2016
DSK

S. V. BHATT, J

