

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CIVIL REVISION PETITION No.173 OF 2017

ORDER:

This Civil Revision Petition is filed under Article 227 of the Constitution of India challenging the order dated 05.01.2017 in I.A.No.244 of 2016 in C.T.A.No.46 of 2016 on the file of the Co-operative Tribunal at Hyderabad.

2. At the time of arguments, learned counsel for both the parties submitted that the matter was heard by three members including Chairman of the Tribunal. The Chairman of the Tribunal was retired from service on 31.12.2016 on attaining age of superannuation. The remaining two administrative members passed the impugned order. Learned counsel for both the parties in one voice submitted that the order passed by the Tribunal is not sustainable in law.

3. In view of the submission made by the learned counsel for both the parties, this Court is not inclined to express any opinion touching the merits of the impugned order.

4. Learned counsel for the respondents submitted that the Tribunal may be directed to dispose of I.A.No.244 of 2016 at the earliest point of time.

5. Having regard to the facts and circumstances of the case and also the submission made by the learned counsel for both the parties, the Civil Revision Petition is allowed setting aside the order dated 05.01.2017 in I.A.No.244 of 2016 in C.T.A.No.46 of 2016 and remanded the matter to the Tribunal. The Co-operative

Tribunal at Hyderabad is hereby directed to dispose of I.A.No.244 of 2016 in C.T.A.No.46 of 2016, as expeditiously as possible, preferably within a period of fifteen (15) days from the date of receipt of a copy of this order. There shall be no order as to costs.

6. Consequently, Miscellaneous Petitions, if any, pending in this Civil Revision Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 02.03.2017
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