

**THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO**

**W.P.No.5280 OF 2017**

**ORDER :**

Heard counsel for the petitioner and the Government Pleader for Industries appearing for respondents.

2. Petitioner had challenged the proceedings dt.07.12.2016 of the 1<sup>st</sup> respondent rejecting the petitioner's revision against the order dt.06.04.2015 of the 2<sup>nd</sup> respondent.

3. It was specifically contended in the Revision before the 1<sup>st</sup> respondent that there was no show cause notice or opportunity given to the petitioner by the 2<sup>nd</sup> respondent before passing the order dt.06.04.2015. However the 1<sup>st</sup> respondent, without adverting the said point, passed the impugned order on 07.12.2016 rejecting the revision on the ground of delay.

4. It was incumbent on the part of the 1<sup>st</sup> respondent to advert to the grounds of revision when a specific contention raised by the petitioner that there was no show cause notice and no opportunity given by the 2<sup>nd</sup> respondent before passing the order dt.06.04.2015.

5. Though the Government Pleader for Industries appearing for respondents states that notice was issued to the petitioner, the impugned order does not state that such a notice issued to the petitioner was received by the petitioner and there appears to be violation of principles of natural justice.

6. Therefore, the Writ Petition is allowed; the order dt.07.1.22016 passed by the 1<sup>st</sup> respondent as well as the order dt.06.04.2015 passed by the 2<sup>nd</sup> respondent are set aside; and the 2<sup>nd</sup> respondent is directed to issue notice to the petitioner, hear the explanation of the petitioner and then pass a reasoned order in accordance with law within a period of 12(twelve) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

7. Consequently, miscellaneous petitions pending if any, shall stand closed.

---

**M.S. RAMACHANDRA RAO, J**

15<sup>th</sup> February, 2017

gra