

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO+

W.P.No.394 of 2017

ORDER

In view of the shortage of time, this Court is not adverted to the facts of the case in detail and is inclined to dispose of the writ petition in the manner indicated below.

2. This writ petition is filed challenging the Communication dated 19.12.2016 issued by the 4th respondent-Secretary to Government rejecting the appeals and confirming the order of the 1st respondent-Commissioner of Police, Hyderabad, cancelling the No-objection Certificates issued to the petitioners earlier. Initially, the Commissioner of Police, Hyderabad, issued No-objection certificates to the petitioners for running business in the shops let out to them by the Market Committee and they have been continuing since 1990. The said No-objection Certificates were cancelled on 19.08.2016 by the 1st respondent by passing a detailed order. Against the said order, the petitioners preferred appeals along with applications for interim suspension in September, 2016 and remarks from the 1st respondent were called by the 4th respondent. But, however, without hearing the petitioners, the 4th respondent communicated to the petitioners a letter dated 19.12.2016, confirming the orders issued by the Commissioner of Police, Hyderabad, which is challenged in the present writ petition.

3. Learned counsel for petitioners submits that statutory appeals have been preferred by the petitioners and the petitioners have not

been given an opportunity of hearing before passing the impugned order.

4. Learned Government Pleader for Home, on the other hand, submits that a separate application was filed by the petitioners on 10.10.2017 and the same was also rejected by the 1st respondent.

5. Be that as it may, in view of the disposal of the appeals on 19.12.2016 in the manner indicated therein, this Court is inclined to set aside the said order and directs the 4th respondent to pass fresh orders in the said appeals after hearing the petitioners. The petitioners shall appear before the 4th respondent at 3.00 PM., on 17.10.2017, and on such appearance, the 4th respondent shall hear the petitioners and dispose of the statutory appeals in accordance with law.

6. Learned Senior Counsel appearing for petitioners states that he would communicate the order of this Court in view of the shortage of time, and similarly, learned Government Pleader also undertakes to communicate this order to the 4th respondent for disposal of the appeals.

7. The Writ Petition is accordingly allowed to the extent indicated above. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

A. RAMALINGESWARA RAO, J

16th October, 2017
sj