

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 23782 of 2017

ORDER:

- 1) Heard learned counsel for the petitioner and Sri B.G.Ravinder Reddy, learned counsel appearing for the respondents.
- 2) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the order of the second respondent passed in No.62000007310001302/ 32720171232, dated 27.03.2017, as arbitrary, illegal and contrary to law.
- 3) The only ground urged by the learned counsel for the petitioner is that the impugned order came to be passed without giving any notice to the petitioners.
- 4) Learned Standing Counsel for the respondents would submit that inspite of giving number of opportunities, the petitioner failed to appear before the Forum and left with no other option, the impugned order came to be filed.
- 5) It is to be noted that earlier, the petitioner was given opportunity of personal hearings on 15.01.2017, 15.02.2017 and 09.03.2017. As the petitioner failed to appear on the above said dates, the impugned order came to be passed.
- 6) At this stage, learned counsel for the petitioner submits that on 06.03.2017, he gave a representation to the authorities seeking

time till 10.04.2017 due to examination schedule, as every school in A.P. is busy upto 30.03.2017.

7) In any event, learned Standing Counsel for the respondents would submit that if the petitioner deposited 25% of the amount, the matter may be remanded back for passing orders after hearing the petitioner and all concerned. Learned counsel for the petitioner expressed his willingness to deposit 25% of the amount, but sought time to deposit the same.

8) Having regard to the above and with a view to give an opportunity to the petitioner to contest the matter on merits, the order under challenge is set aside and the matter is remanded back to the authorities for passing appropriate orders after hearing the petitioner, as early as possible, preferably, within a period of three months from the date of receipt of a copy of the order, subject to the condition of petitioner depositing 25% of the amount as directed and payable by the petitioner under Section 45-A of the Act, within a period of four weeks from today.

9) With the above direction, the writ petition is disposed of. There shall be no order as to costs.

10) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

24.07.2017
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