

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.31577 OF 2017

ORDER:

This petition is filed for a writ of *Certiorari* calling for the records pertaining to A.P.S.E.Case No.1/2014, dated 05.12.2016 on the file of Authority appointed under Section 48 of the A.P.Shops & Establishment Act & Assistant Commissioner of Labour, Guntur, Guntur District as confirmed in A.P.S.E.A.No.1 of 2017, dated 29.08.2017 on the file of the Appellate Authority under Section 48 of the Act and Deputy Commissioner of Labour, Guntur.

Heard Smt.Bobba Vijayalakshmi, learned counsel for the petitioner who submits that the appellate authority has not considered the grounds raised by the petitioner in the appeal and passed a non-speaking order, which is in violation of principles of natural justice.

Heard Sri K.S.Murthy, learned counsel for the 1st respondent who opposed the writ petition vehemently.

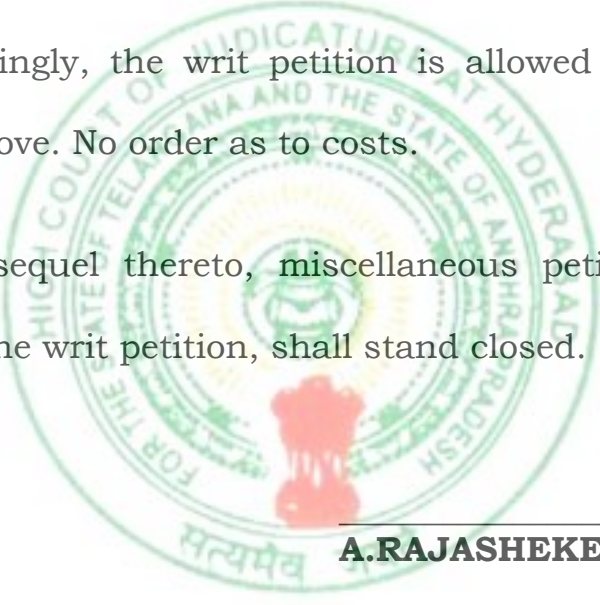
A reading of the impugned order dated 29.08.2017 passed by the appellate authority goes to show that no reasons were given while dismissing the appeal by the appellate authority. Though various grounds are raised in the appeal and written arguments are filed, the same were not even referred in the order by the appellate authority. In view

of the same, the impugned order is set aside as the same is a non-speaking order and the appellate authority is directed to dispose of the appeal after affording opportunity of hearing to the petitioner as well as 1st respondent after considering the grounds raised and written arguments filed by the parties, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. It is needless to mention when once the impugned order is set aside the consequential proceedings cannot be given effect to.

Accordingly, the writ petition is allowed to the extent indicated above. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

19.09.2017
tk



A.RAJASHEKER REDDY, J