

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION Nos.39041 and 39141 of 2017

COMMON ORDER.

Heard Mr. A.K.Jayaprakash Rao, learned counsel for petitioner and Mr. P.Balaji for respondent No.1.

The record as directed by this Court is produced.

This Court in Writ Petition No.39074 of 2016 directed the first respondent as follows:

“The impugned orders passed by the 1st respondent vide Proceedings No.TS/HYD/421261P.D. Cell-III/T-3/2016-17/1270, dated 02.08.2016, under Section 14B of the Act and No.TS/HYD/42126/P.D. Cell-III/T-3/2016-17/1271, dated 02.08.2016, under Section 7Q of the Act are set aside and the 1st respondent is directed to consider the Implead petition preferred by the petitioner to implead the necessary parties before adjudicating the matter and shall pass appropriate orders after hearing the petitioner, as expeditiously as possible, in accordance with law, within a period of three (3) months from the date of receipt of a copy of this order and the 1st respondent is directed to give full opportunity to the petitioner and the petitioner is also directed to avail all the opportunities and on failure to avail the opportunities by the petitioner,

the 1st respondent can pass appropriate orders, in accordance with law.”

Now, the primary grievance is that without having regard to the directions issued by this Court, the orders impugned in these Writ Petitions are passed.

Mr. P.Balaji appearing for respondent No.1 firstly tried to justify as to why the impleadment is not ordered and secondly, when confronted with the difficulty of obligation to implement the direction excerpted above submits that without much deliberation on this aspect, the first respondent re-examines the issue and the matter can be sent back to the first respondent.

Mr. A.K.Jayaprakash Rao raised few objections on the findings recorded by the first respondent.

As this Court is setting aside the orders impugned in these Writ Petitions and remitting the matter to the first respondent, it is needless to state that the petitioner, if so advised without dilatory tactics can participate in the enquiry before the first respondent and raise available grounds. Orders impugned in the Writ Petitions are set aside. The matter is remitted to first

respondent for consideration and disposal in accordance with law within four weeks from the date of receipt of the order. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

22nd November, 2017

Note:

Issue CC in one week.

B/o

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