

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.15762 of 2018

ORDER:

Heard the learned Counsel appearing for the petitioner and the learned Government Pleader for Civil Supplies.

When the matter is taken up, it is brought to the notice of this Court that, in identical circumstances, this Court passed an order on 05.03.2018 in W.P.No.6790 of 2018 and copy of the said order is placed on record as material paper. In view of the same, there shall be the following similar order:-

This writ petition is filed for the following relief:

“... to issue an appropriate writ or order or direction more particularly one in the nature of writ of mandamus, to declare the action of respondent No.2 in not passing final orders even after the expiry of more than 90 days of passing of the suspension orders bearing Rc.No.4620/2017-B, dated 29.09.2017, as being illegal, arbitrary, unilateral and unconstitutional and consequently set aside the suspension order, sated 29.09.2017.....”

When the matter is called, it is represented by the learned counsel for the petitioner that the issue in the present writ petition is squarely covered by the order, dated 24.01.2018, passed by this Court in W.P.No.1898 of 2018.

A perusal of the said order reflects that similarly situated person approached this Court by way of filing the above said writ petition and this Court disposed of the same with the following directions:

“In those circumstances, considering the fact that pursuant to the show cause notice, dated 11.08.2017, the petitioner submitted his explanation on 21.08.2017, inasmuch as the authorization of the petitioner was suspended on 11.08.2017 pending enquiry and taking cue

from the earlier provision, wherein 90 days time was stipulated as it was considered to be reasonable at relevant point of time, this Court deems it appropriate to set aside the order passed by the second respondent vide Rc.No.3723/2017-B, dated 11.08.2017 while issuing directions to the second respondent to conduct enquiry pursuant to the show cause notice of even date, complete the same and pass final orders on merits, by following due process of law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

With the above directions, the Writ Petition is allowed by setting aside the order, dated 11.08.2017 passed by the second respondent vide Rc.No.3723/2017-B.”

Following the above said order and for the reasons recorded therein, this writ petition is also allowed in terms thereof.

Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of. There shall be no order as to costs.”

In view of the above said order, and for the reasons recorded therein, this Writ Petition is allowed in terms thereof. However, this order will not preclude the respondents from passing final orders. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand disposed of.

A.V.SESHA SAI,J

30th April, 2018
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