

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.34704 OF 2017

ORDER:

Heard Mr.M.Rajamalla Reddy for petitioners, Mr.V.Narasimha Goud, Standing Counsel for HMDA for Respondents 2 to 4 and Mr.Unnam Savan Kumar for respondent No.6.

The counsel appearing for the parties consent to disposing of the writ petition by this order.

The petitioners challenge cancellation of draft layout order dated 10.10.2017. One of objections raised against the cancellation of draft layout order dated 10.10.2017 is that the show cause notice directed to be issued to petitioner is dated 04.08.2017 and served on petitioners on 07.10.2017. The service of petitioners if accepted as 07.10.2017, the petitioners have time up to 22.10.2017 to submit explanation and thereafter the 2nd respondent can pass an order on the complaint of respondent No.6. In the case on hand, even before the expiry of 15 days period, the order dated 10.10.2017 is passed and communicated.

Without taking up the submissions on merits, as noted above, the writ petition is disposed of by this order:

- (a) the order in letter No.301495/Plg/LO/HMDA/2016 dated 10.10.2017 of 3rd respondent is set aside as violative of principles of natural justice;
- (b) the case in file No. 301495/Plg/LO/HMDA/2016 dated 25.09.2017 is restored to file;
- (c) the petitioners are given three weeks' time from today to submit explanation, by enclosing a copy of this

order, as directed by 2nd respondent vide notice dated 04.08.2017; and

- (d) the 2nd respondent considers the matter afresh and passes orders as are deemed fit in the fact situation of the case on hand.

There shall be no order as to costs.

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

27th March, 2018

NOTE:

Cc in (3) days

B/o Lrkm

S. V. BHATT, J

