

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.40190 OF 2018

Date: 13.11.2018

Between:

Bobbili Gopal Reddy, s/o. B.Basi Reddy,
Aged about 43 years, occu: Business,
R/o. H.No.2-1-51/4A, Bhavani Nagar,
Shaipur village, Tandur, Vikarabad district.

.....Petitioner

and

The State of Telangana, rep.by its
Principal Secretary, Panchayat Raj and
Rural Development, Secretariat, Hyderabad
and others.

.....Respondents



The Court made the following:

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ORDER:

By the order impugned, the building permission granted on 01.08.2018 is cancelled on objection application filed by Erally Ramulu. Reading of the order would show that show-cause notice was drawn on 12.10.2018 calling for the explanation of petitioner, but petitioner failed to submit his explanation.

2. According to learned counsel for petitioner, show-cause notice dated 12.10.2018 was not served on petitioner. On the contrary, according to learned standing counsel, notice was served on the father of petitioner, however it does not contain signature. Copy of the show-cause notice is served on the counsel for petitioner. Learned counsel for petitioner seeks leave of the Court to permit the petitioner to submit his explanation to the show-cause notice dated 12.10.2018 and on consideration of explanation, fresh order be passed. As there is no clarity with reference to the date of service of notice, in the facts of this case, I deem it proper to grant liberty to petitioner to submit his explanation to the show-cause notice within a week from the date of receipt of this order. If such explanation is filed, the same shall be considered and fresh orders be passed within a period of two weeks thereafter by assigning due reasons in support of the decision. An opportunity also be afforded to 3rd respondent. Till the orders are passed, no coercive action will be taken against petitioner. Petitioner shall not undertake any further construction until the orders are made by the competent authority. It is made clear that there is no expression of opinion on rival claims of petitioner and the 3rd respondent and respective claims are preserved to agitate before the appropriate authority.

3. Writ Petition is accordingly disposed of. Pending miscellaneous petitions shall stand closed.

Date: 13.11.2018
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JUSTICE P.NAVEEN RAO

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