

HONOURABLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION Nos.10618, 10622 and 10626 of 2019

COMMON ORDER:

These writ petitions are filed, under Article 226 of the Constitution of India, impugning the proceedings, dated 18.05.2019, issued by the 5th respondent revoking the license of the petitioners' Saw Mills and seeking a direction to the 3rd respondent to compound the offence as was done in the case of Bilal Saw Mill.

2. Heard Sri K.G.Krishna Murthy, learned Senior Counsel appearing for the petitioners and learned Assistant Government Pleader for Forests appearing for the respondents and perused the material on record.

3. Sri K.G.Krishna Murthy, learned Senior Counsel, submits that the petitioners have already filed appeals before the 3rd respondent, who is the appellate authority, against the respective impugned orders, dated 18.05.2019, and the petitioners also seek a prayer for compounding the offences as was done in the case of Bilal Saw Mill, as the petitioners stand on the same footing as that of Bilal Saw Mill, but till now no orders are passed.

4. On the other hand, learned Assistant Government Pleader for Forests submits that the case of the petitioners is not on the same footing as that of Bilal Saw Mill, as the quantity differs. However, he has not disputed about the pendency of the appeals filed by the petitioners.

5. In view of the facts and circumstances, if the case of the petitioners is identical to that of Bilal Saw Mill, the 3rd respondent is

obligated to consider the case of the petitioner on par with Bilal Saw Mill.

6. Accordingly, the writ petition is disposed of directing the 3rd respondent, who is the appellate authority, to consider the case of the petitioners and dispose of the appeals, after issuing notice to the petitioners and also consider the request of the petitioners for compounding of the offences as was done in the case of Bilal Saw Mill, within a period of one (01) week from the date of receipt of a copy of this order. It is open for the petitioners to place the material before the 3rd respondent/appellate authority to show that their case is identical to that of Bilal Saw Mill. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending shall stand closed.

A. RAJASHEKER REDDY

29th May, 2019.

Note:

Issue C.C. tomorrow.

(b/o)

KL/mar