

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION NO.11014 OF 2019

ORDER:

This Writ Petition is filed against the order dated 17.05.2019 in I.A.No.84 of 2019 in CTA.No.25 of 2018 on the file of the Co-operative Tribunal, Hyderabad (Tribunal), whereby and whereunder the application filed by the petitioners under Rule 15 of the Telangana Co-operative Tribunal (Procedure) Rules, 1994 ("the Rules" for brevity), read with Section 151 of the Code of Civil Procedure, was dismissed.

Learned counsel for the petitioners submits that though no arguments were heard on 10.05.2019 and according to the docket proceedings though the Chairman was not present on 13.05.2019, as per the docket proceedings dated 17.05.2019, the impugned order came to be passed and it is not known as to how the impugned order came to be passed though it is shown that the Chairman was not present. Learned counsel for the petitioners submits that the impugned order is an erroneous order. The Rules have not been considered and without proper application of mind, the impugned order came to be passed.

Heard the learned Government Pleader for Co-operation.

Learned Government Pleader for Co-operation submits that there is already a direction from this Court to dispose of the C.T.A. and this Writ Petition is filed only to drag on the proceedings.

Heard the learned counsel appearing for the fifth respondent who also did not dispute the docket proceedings.

A copy of the docket proceedings is filed. A perusal of the docket proceedings dated 13.05.2019 and 17.05.2019 goes to show

that only the Member signed the same. If that is so, I do not know as to how the impugned order came to be passed by the Chairman and other Member.

In view of the same, without going into the merits of the matter, only on this ground the impugned order is set aside and the Tribunal is directed to decide I.A.No.84 of 2019 in CTA.No.25 of 2018 within a period of two weeks from the date of receipt of a copy of this order by giving the petitioners an opportunity to be heard. If petitioners do not co-operate, it is open for the Tribunal to pass orders on merits and dispose of the appeal within a period of four weeks thereafter.

Accordingly, the Writ Petition is disposed of. There shall be no orders as to costs. Miscellaneous applications, if any, pending shall stand closed.

(A.RAJASHEKER REDDY, J)

13th June 2019
RRB