

HIGH COURT FOR THE STATE OF TELANGANA

THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN

AND

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

WRIT APPEAL No.580 of 2019

10.07.2019

Between:

Mohd. Ishaq Qureshi

...Appellant

and

The Commissioner and others

...Respondents

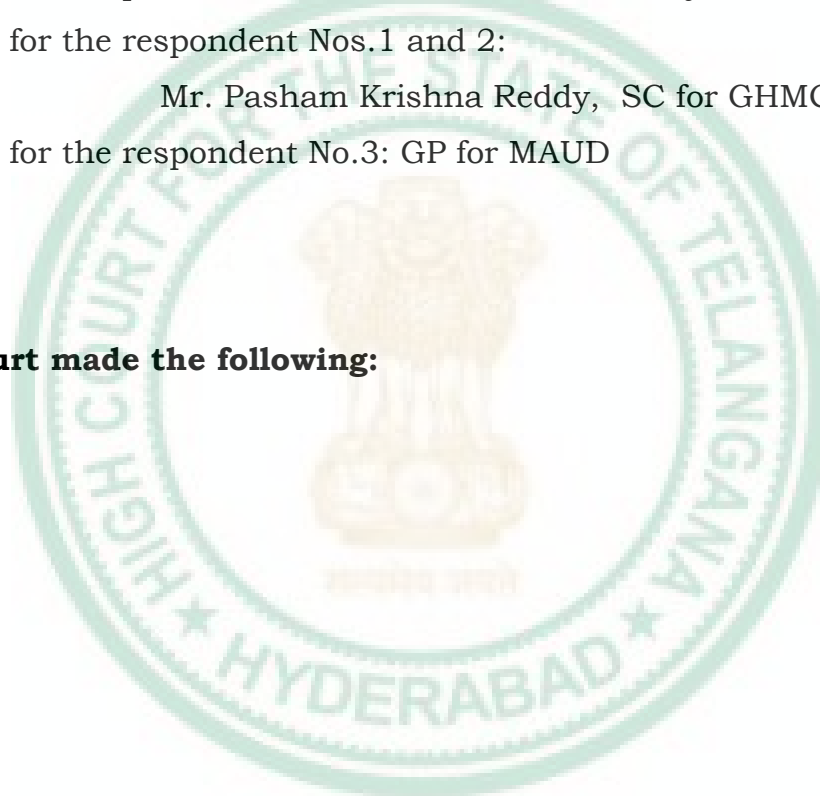
Counsel for the petitioner : Mr. B. Sudhakar Reddy

Counsel for the respondent Nos.1 and 2:

Mr. Pasham Krishna Reddy, SC for GHMC

Counsel for the respondent No.3: GP for MAUD

The Court made the following:



JUDGMENT: (Per the Hon'ble the Chief Justice Sri Raghvendra Singh Chauhan)

The appellant is aggrieved by the order dated 20.06.2019, passed by a learned Single Judge in W.P.No.34328 of 2018, whereby the learned Single Judge has dismissed the writ petition filed by him, wherein he had sought the relief that his representation dated 30.08.2018 should be decided by the Greater Hyderabad Municipal Corporation ("GHMC" for short), and had challenged the non-calling of tenders/proposals for operation and management of Modern Abattoir at Ramansthapura, Hyderabad, since 2015, as an illegal omission being committed by the GHMC.

Briefly, the facts of the case are that the appellant-petitioner claims that, in the year 2012, the GHMC had started a modern slaughter house at Ramansthapura, Hyderabad. By a tender notice dated 23.07.2012, it had called for tenders/proposals for running of the said slaughter house. The work order was issued, and it was valid till 2015. However, after 2015, no such tender notice has been issued by the GHMC. Since the appellant-petitioner was interested in running of the slaughter house, but during night time, on 30-08-2018, he had submitted a representation before GHMC. Since the representation did not elicit any response from the GHMC, the appellant-petitioner filed the writ petition before the learned Single Judge. However, as mentioned hereinabove, the learned Single Judge has dismissed the writ petition. Hence, the present appeal before this Court.

Mr. B. Sudhakar Reddy, the learned counsel for the appellant-petitioner, submits that the appellant-petitioner would be satisfied, if his representation were duly considered and decided by the GHMC, after giving him an opportunity of hearing. According to the learned

counsel, even if no positive direction could be given by the learned Single Judge to call for the tender notice, atleast the learned Single Judge should have directed the GHMC to consider his representation dated 30.08.2018. Therefore, the learned counsel seeks the modification of the order dated 20.06.2019.

Mr. Pasham Krishna Reddy, the learned Standing Counsel for the GHMC, has canvassed certain reasons as to why appellant cannot be permitted to operate the slaughter house. However, he has frankly conceded that the representation dated 30.08.2018 is still pending consideration before the GHMC.

Considering the fact that the representation dated 30.08.2018 is still pending before the GHMC, considering the fact that the GHMC is legally bound to decide the representation, rather than keeping the appellant in animated suspense, this Court modifies the order dated 20.06.2019, and directs the GHMC to decide the representation dated 30.08.2018 within a period of one month from the date of receipt of a certified copy of this order.

With these directions, the writ appeal stands disposed of. There shall be no order as to costs.

The miscellaneous petitions pending, if any, shall stand closed.

RAGHVENDRA SINGH CHAUHAN, CJ

DR. SHAMEEM AKTHER, J

10th July, 2019
JSU

High Court for the State of Telangana**THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN****AND****THE HON'BLE DR. JUSTICE SHAMEEM AKTHER****WRIT APPEAL No.580 of 2019****(Per the Hon'ble the Chief Justice Sri Raghvendra Singh Chauhan)****Date: 10.07.2019****JSU**