

(2013) 10 KAR CK 0214

In the Karnataka High Court

Case No : Writ Petition No. 45691 of 2013 (GM-RES)

M/s. N.K. Borewells

APPELLANT

Vs

State Government of Karnataka

RESPONDENT

Date of Decision : 07-10-2013

Acts Referred:

Citation : (2013) 10 KAR CK 0214

Hon'ble Judges : A.S. Bopanna, J

Bench : Single Bench

Advocate : A.V. Sri Hari, for the Appellant; E.S. Indires, HCGP, for the Respondent

Final Decision : Disposed Off

Judgement

A.S. Bopanna, J.—Learned Government Advocate to accept notice for respondents No. 1 and 2 and file memo of appearance in four weeks. The petitioner is before this Court assailing the letter dated 21.05.2013 impugned at Annexure-A to the petition. The petitioner is also seeking for issue of mandamus to direct respondent No. 2 to consider the application dated 29.07.2013 at Annexure-D to the petition.

2. The case of the petitioner is that he being the proprietor of N.K. Borewells is carrying on the business of drilling the bore well with the rig bearing No. KA 51 MC 3193. In that regard, the petitioner is stated to have applied seeking permission for registering his agency. The request of the petitioner has been rejected by the impugned communication dated 21.05.2013 at Annexure-A to the petition.

3. A perusal of the impugned communication would indicate that the only reason disclosed therein is that the petitioner has not responded to the notice dated 30.03.2013 and has not produced the necessary documents for consideration of his case. Since, the said rejection has been made on the said ground, in any event opportunity requires to be provided to the petitioner to produce all the

documents and a direction to the respondents to consider the case of the petitioner needs to be issued. In the instant case, the petitioner contends that subsequent to the rejection vide letter dated 21.05.2013, the petitioner by his application dated 29.07.2013 has produced all the necessary documents and the said application is still pending consideration. In order to enable consideration of the said application, the impugned communication dated 21.05.2013 is quashed. The respondent No. 2 is directed to consider the application dated 29.07.2013 as per law. If any further documents are required, the petitioner shall produce the same before the respondent No. 2. In order to enable expeditious consideration, the petitioner shall now furnish a copy of this order along with additional documents if any within one week from the date of receipt of a copy of this order. The respondent No. 2 shall dispose of the application dated 29.07.2013 as per law within two weeks from the date on which the copy is furnished.

In terms of the above, the petition stands disposed of.