

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

TUESDAY, THE SIXTH DAY OF AUGUST,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA
WRIT PETITION NO: 17167 OF 2024



Between:

Board of Visakhapatnam Port Authority, Rep. by its Executive Engineer,
Engineering Department, Administrative Office Building, Port
Area, Visakhapatnam - 530 035, Andhra Pradesh.

...Petitioner

AND

1. The Union of India, Rep by its Secretary, The Ministry of Micro Small and Medium Enterprises Udyog Bhawan Rail Marg New Delhi-110011.
2. Andhra Pradesh Micro And Small Enterprises Facilitation Council, Established under Section 20 of Micro Small and Medium Enterprises Development Act 2006, APMSEFC, Represented by its Commissioner, 8th Floor APIIC, Towers, Auto Nagar, Mangalagiri, Guntur District - 522503.
3. M/s. Jupiter Contech Private Limited, (Formerly Konark Foundations Pvt. Ltd) 1-83-14/2, 2nd Floor, Sector 3, MVP Double Road, MVP Colony, Visakhapatnam - 530017.

...Respondents

WHEREAS the Petitioner above named through his Advocate RAVITEJA PADIRI presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue any appropriate writ order or direction more particularly in the nature of Writ of Certiorari i) calling

for the entire records on the Award Dt. 31.08.2023 passed by the Respondent No.1 on the Reference filed by the Respondent No.3 vide Case No 21C/IFC/2015/9442 on the file of the A.P Micro and Small Enterprises Facilitation Council, Mangalagiri, examine the same (ii) and declare them as non est as being passed without inherent jurisdiction and the mandate being lapsed, (iii) Further declaring the same as illegal, arbitrary, unconstitutional and against the principles of natural justice and contrary to the Act and the rules framed there under, (iv) Consequently quash and set aside the proceedings vide Case No 21C/IFC/2015/9442 including the AwardDt. 31.08.2023 passed by the Andhra Pradesh Micro and Small Enterprises Facilitation Council (V).

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri RAVITEJA PADIRI Advocate for the Petitioner and of Deputy Solicitor General of India, for the respondent No.1, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Secretary, Union of India, The Ministry of Micro Small and Medium Enterprises UdyogBhawan Rail Marg New Delhi-110011.
2. The Commissioner, Andhra Pradesh Micro And Small Enterprises Facilitation Council, Established under Section 20 of Micro Small and Medium Enterprises Development Act 2006, APMSEFC, 8TH Floor APIIC, Towers, Auto Nagar, Mangalagiri, Guntur District - 522503.
3. M/s. Jupiter Contech Private Limited, (Formerly Konark Foundations Pvt. Ltd) 1-83-14/2, 2nd Floor, Sector 3, MVP Double Road, MVP Colony, Visakhapatnam - 530017.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition

and the affidavit filed therewith (copy enclosed) this Writ Petition should not be admitted within four (04) weeks.

The Court made the following

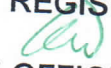
ORDER:

“Notice before admission.

Learned counsel for the petitioner is permitted to take out personal notice to respondent Nos. 2 and 3 by registered post with acknowledgement due and file proof of service in the Registry.

List the matter after four (04) weeks.”

//TRUE COPY//

SD/- V.SAVITHRI GOWRI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Secretary, Union of India, The Ministry of Micro Small and Medium Enterprises Udyog Bhawan Rail Marg New Delhi-110011.
2. The Commissioner, Andhra Pradesh Micro And Small Enterprises Facilitation Council, Established under Section 20 of Micro Small and Medium Enterprises Development Act 2006, APMSEFC, 8TH Floor APIIC, Towers, Auto Nagar, Mangalagiri, Guntur District - 522503.
3. M/s. Jupiter Contech Private Limited, (Formerly Konark Foundations Pvt. Ltd) 1-83-14/2, 2nd Floor, Sector 3, MVP Double Road, MVP Colony, Visakhapatnam - 530017.
4. One CC to Sri Raviteja Padiri, Advocate [OPUC]
5. One CC to Deputy Solicitor General of India, High Court of A.P, Amarvati [OPUC]
6. **One spare copy**

CVSS

HIGH COURT

NV,J

DATED:06/08/2024

LIST THE MATTER AFTER FOUR (4) WEEKS.

NOTICE BEFORE ADMISSION

WP.No.17167 of 2024

