

Court No. - 21

Case :- WRIT - C No. - 42858 of 2023

Petitioner :- Munni Lal Yadav

Respondent :- State Of U.P. And 8 Others

Counsel for Petitioner :- Prayogendra Pal Singh, Vasundhra

Counsel for Respondent :- C.S.C., Archit Mandhyan, Shakti Singh

Hon'ble Manoj Kumar Gupta, Acting Chief Justice

Hon'ble Donadi Ramesh, J.

1. The prayer made in the instant petition is for a direction to respondent no.5 to return the auction money deposited by the petitioner in pursuance of the bid made by him for allotment of a shop in Krishi Utpadan Mandi Samiti Jasra, Prayagraj. The amount was deposited sometimes in the year 2016 and so far, the shop has not been allotted to the petitioner.

2. Learned Standing Counsel appearing for the State-respondents and Sri Shakti Singh, Advocate appearing for the Mandi Parishad state that the petitioner has not fulfilled certain requirements as necessary for allotment of the shop. He was issued repeated notices, but still he has not complied with the requirements and as such, he submits that although, there would be no difficulty in returning the money, but the petitioner is not entitled to any interest. He submits that still Mandi Parishad is ready to hand over the shop to the petitioner, if he complies with certain requirements as had been intimated from time to time. However, learned counsel for the petitioner states that the petitioner is not ready to take the shop and the money be returned to him.

3. Having regard to the facts and submissions made, we direct the Mandi Parishad to return Rs. 54,000/- admittedly deposited

by the petitioner in pursuance of the bid made by him at the time of auction of the shop. As the money had remained with the Mandi Parishad, we direct payment of nominal interest at the rate of six per cent per annum till the date the amount is returned.

4. The petition stands disposed of accordingly.

(Donadi Ramesh, J.)

(Manoj Kumar Gupta, ACJ.)

Order Date :- 12.12.2023

Noman