HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

W.P. Nos.30741, 30742, 31107, 31069, 31194, 31227, 31398 and 31399 of 2011

COMMON ORDER :

The issue involved in all these writ petitions are one and the same, as such, they are being disposed of by way of this Common Order.

Heard both sides.

In all these writ petitions the applications of the petitioners for extension of lease period in their favour was rejected on the ground that they have been in occupation of the subject leased premises for more than 25 years, basing on the order passed by the Division Bench of this Court in W.P.No.6354 of 2009 dated 25.08.2009 and the same are being challenged by the writ petitioners.

Learned counsel for the petitioners as well as learned Sri Nimmagadda Venkateshwarlu, learned Standing Counsel for 2nd respondent-Municipality have agreed for disposal of the writ petitions and brought to my notice that in similar circumstances this Court disposed of W.P.No.8217 of 2015 on 30.03.2015.

In view of the facts and circumstances of the case and also in view of the pleadings by both the parties, I feel that the writ petitions may be disposed of in terms of orders of this Court in W.P.No.8217 of 2015 dated 30.03.2015. The respondents can go ahead with conducting auction to the shops, which are occupied by the petitioners, without evicting the petitioners, since the petitioners are undertaking that they will vacate the shops as and when auction is conducted and finalized. The petitioners shall also file an undertaking to that effect before the respondents.

In view of the same, as and when respondents 1 and 2 conduct auction, the petitioners can also participate in the said auction and if they emerge as highest bidders, they shall be entitled to continue as fresh lessees. Otherwise there shall be an obligation to vacate the premises as and when auction

proceedings are finalized and the respondent-Corporation wants to put the property in possession of the successful bidders. Till the said exercise is completed, the petitioners shall continue as lessees on enhancing 33 1/3% over and above the existing rents. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

With the above direction, these writ petitions are disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any pending in these writ petitions, shall stand dismissed.

_____ **A.RAJASHEKER REDDY, J**

19.06.2015.

KVS

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

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Date: 19-06-2015

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