

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.39475 of 2012

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20.08.2015

Between:

M/s.Shiva Constructions, Medak District

.. Petitioner

and

The Commissioner and Director of Agriculture,
Hyderabad and others

.. Respondents

Counsel for the petitioner: Mr.M.Parma Reddy,
for Mr.Srinivas Kapatia

Counsel for respondent Nos.1 and 2: Assistant Government
Pleader for Agriculture (TS)

Counsel for respondent No.3: --

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The Court made the following:

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ORDER:

This writ petition is filed for a *mandamus* to declare the action of respondent No.2 in cancelling the petitioner's contract, *vide* cancellation order, dated 23.11.2012, without notice, and calling for fresh tender for construction of office building at Marketyard, Doulothabad under Agricultural Market Committee, Thoguta of Medak District, as illegal and arbitrary.

On 13.08.2015, the case was adjourned at the request of the learned counsel for both the parties. Today, the learned counsel for the petitioner again asked for an adjournment. Considering the fact that the writ petition is of the year 2012 and is still at the admission stage, I have declined the request of the learned counsel for the petitioner. The learned Assistant Government Pleader for Agriculture (TS) is also in no better position than the learned counsel for the petitioner.

Be that as it may, a perusal of the record shows that the petitioner has filed this writ petition feeling aggrieved by the termination of a contract. In my opinion, the petitioner has invoked an inappropriate remedy by filing the present writ petition, as ordinarily this Court seldom adjudicates the disputes arising out of concluded contracts.

Therefore, the Writ Petition is dismissed, however, with liberty to the petitioner to avail common law remedies for redressal of its grievance.

As a sequel to dismissal of the writ petition, W.P.M.P.Nos.50132 and 50736 of 2012 filed by the petitioner for interim reliefs shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

20th August, 2015

GHN