

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.28131 of 2012

Date:12.06.2015

Between :

Gonugunta Suresh,

S/o G.Anjaneyulu

..... Petitioner

And:

APSRTC, repled by its Managing

Director, Hyderabad and two others.

.....Respondent

Counsel for the petitioner: Sri B.Venkatadri

For Smt C.Vani Reddy

Counsel for the Respondents: None appeared

The Court made the following:

ORDER:

This Writ Petition is filed for a *Mandamus* to declare the action of respondent No.2 in allotting the water KIOSK at Chilkaluripeta Bus-stand to respondent No.3 as illegal and

arbitrary. The petitioner sought for a consequential direction to respondent No.2 to award the contract of water KIOSK to him.

At the hearing, Sri B.Venkatadri, learned counsel representing Smt C.Vani Reddy, learned counsel for the petitioner, submitted that in view of lapse of considerable time after allotment of water KIOSK to respondent No.3, the petitioner has approached respondent No.2 for refund of the Earnest Money Deposit and that therefore, the Writ Petition may be closed with the direction to respondent No.2 to consider the petitioner's representation for refund of the Earnest Money Deposit in accordance with the tender conditions and leave the petitioner free to avail appropriate remedy in the event the Earnest Money Deposit is not refunded.

In the light of the above submission of learned counsel for the petitioner, the Writ Petition is disposed of with the direction to respondent No.2 to consider the petitioner's request for refund of the Earnest Money Deposit and communicate his decision to the petitioner within one month from the date of receipt of a copy of this order. If the petitioner feels aggrieved by the said communication, he shall be free to avail appropriate remedy in accordance with law.

As a sequel to disposal of the Writ Petition, WPMP.No.35848 of 2012 filed by the petitioner for interim relief is disposed of as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

12th June, 2015

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