

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

W.P. Nos. 12833, 31707 of 2014 and 3066 of 2015

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COMMON ORDER :
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The issue involved in both these writ petitions is one and the same, as such, they are being disposed of by way of Common Order.

2. When these writ petitions are listed on 23.02.2015, this Court passed orders as follows:

“Heard the learned counsel for the petitioner, the learned standing counsel for the temple and the Government Pleader for Endowments.

The grievance of the petitioner is that though he was awarded contract for sale of sarees and other materials collected from the temple for the period from 01-12-2013 to 30-11-2014, abruptly his contract was terminated and when the petitioner filed W.P.No.12833 of 2014, this court passed an order permitting him to sell sarees and other materials from the temple and on vacate stay petition is filed, the petitioner was permitted to sell sarees collected till November, 2014 and when the temple authorities issued notices to the petitioner, the petitioner is not willing to take the material collected and sell the same and he wanted the EMD amount deposited by him to be returned and his request was rejected. Aggrieved by the same, the petitioner filed W.P.No.3066 of 2015.

Both the writ petitions have come up for hearing and the learned Government Pleader for Endowments categorically stated that they may be permitted to sell away the material collected after 22-04-2014 till 30-11-2014 and the petitioner's EMD will be refunded thereafter proportionately and the Learned Government

Pleader sought for time for filing necessary affidavit to that effect.

Post the matter under the caption “for Orders” on 25-02-2015 in the motion list.”

In pursuance to the aforesaid orders, the Executive Officer of 3rd respondent temple filed a common affidavit dated 25.02.2015 stating that respondent temple undertakes to refund proportionate amount of Rs.19,47,157/- and Earnest Money Deposit (EMD) of Rs.30,00,000/- totaling a sum of Rs.49,47,157/- to the petitioner and to take steps to

sell the sarees, blouses etc., collected during the balance auction period from 24.04.2014 to 30.11.2014 in public auction and to receive the sale proceeds.

Learned counsel for the petitioner has agreed for the said proposal of the 3rd respondent temple in its affidavit.

In view of the undertaken given by the 3rd respondent temple, these writ petitions are disposed of directing the 3rd respondent to refund the amounts as undertaken by it in paragraph 6 of the common affidavit filed by him, within a period of three weeks from today. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any pending in these writ petitions, shall stand closed.

A.RAJASHEKER REDDY, J

02.03.2015.

Note: issue cc in two days.

B/o.

KVS

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Date: 02-03-2015

KVS

