

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 4546 of 2016

ORDER:

The prayer of the petitioner in this case is as under:

“Hon'ble Court may be pleased to issue any order or direction or writ or writs more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in not showing the petitioner E-Tender in the eligibility List published on 10-2-2016 for Balarajupalli Sand Reach of Balarajupalli village, Rajampet Mandal, Kadapa District is illegal, arbitrary, malafide unconstitutional and contrary to the E-Tender Notification No. 469/DLSC/2016 dated 21-1-2016 and violation of Principles of Natural Justice and consequently set aside the Eligibility Bidders list published on 10-2-2016 in EA No.16714 of Balarajupalli Sand Reach of Balarajupali Village, Rajampet Mandal, Kadapa District, in the interest of justice and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. Learned Assistant Government Pleader for Mines and Geology stated that pursuant to the Memo No.3066/M.II(1)/2016-3 dated 04.03.2016 issued by the Industries and Commerce (M.II) Department of the State of Andhra Pradesh, all notifications issued for e-auction-cum-e-tender in relation to sand mining rights stand cancelled.

3. In the light of the afore-stated Memo, the cause in the writ petition does not survive for consideration on merits.

4. Sri Ch.Janardhan Reddy, learned counsel for the petitioner, pointed out that as per the policy embodied in the afore-stated Memo, the EMD and amounts received as advance from successful bidders have to be refunded and that the petitioner is

also entitled to such refund.

5. As the Memo dated 04.03.2016 itself indicates that such amounts are to be refunded, the petitioner is at liberty to apply to the authorities concerned for refund of amounts due to it, if any.

The Writ Petition is accordingly closed. Pending miscellaneous petitions, if any, shall also stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

March 28, 2016

LMV