

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.8007 OF 2016

ORDER:

Heard.

The license to sell coconuts in front of the temple is challenged before this Court.

Sri V.S.K.Rama Rao, learned counsel for the petitioner submits that the petitioner was the successful bidder and he was holding license to run the shop till 31.03.2016. The petitioner paid license fee for the period October, 2015 to January, 2016 to the tune of Rs.5,43,772. The petitioner made a representation on 12.02.2016 for extension of license for a further period of one year on enhancement of 11.11% as security deposit along with EMD. Pending consideration of the said representation, the respondents issued auction notification on 04.03.2016 without extending the petitioner's license. Learned counsel for the petitioner submits that the efforts of the petitioner to get the amount refunded from respondents 3 and 4 have been futile for the last one year. Hence, this writ petition.

Sri A.Srikanth Reddy, learned counsel appearing for respondent No.3 and Mrs K.Lalitha, learned standing counsel appearing for respondent No.4 submits that conducting of auction and refunding of security deposit are two different aspects and that refund of security deposit, if any, due to the petitioner, shall be sorted out.

Having considered respective submissions of learned counsel and considering the limited scope of challenge before this Court, the writ petition can be disposed of at the admission stage with the consent of both parties. There is no reason or argument advanced before this Court for stalling the auction. As contended by learned counsel for respondents 3 and 4 refund of security deposit and conducting auction are different issues.

In that view of the matter, interest of justice would be served if a direction is issued to respondents 3 and 4 to examine the claim of the petitioner seeking refund of excess amount stated to be lying with either of respondents 3 and 4 and by having mutual discussion, ensure refund of amount, if any, due to the petitioner within a period of (8) weeks from today. In the meanwhile, the auction may go on and the petitioner shall also be entitled to participate in the said auction.

With the above observation, the writ petition is disposed of. There shall be no order as to costs.

In view of the disposal of the main writ petition, miscellaneous petitions, if any pending in the writ petition, shall also be closed.

kvrn

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.8007 OF 2016

—

Date:11.03.2016

kvrn