

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION Nos.37413, 37436, 37441, 37470 and 37530 of 2016

Date :3.11.2016

Between :

M/s. Sona House of Crockery
Rep by its proprietor Syed Qutubuddin
H No. 21-2-51, Osmania Bazar, Hyderabad

Petitioner

And

The State of Telangana through its
Principal Secretary,
Municipal Administration, T S Secretariat,
Hyderabad and others

Respondents

The Court made the following:



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COMMON ORDER:

These writ petitions are filed challenging the orders revoking the trade licences and directing to close down the trade/business.

2. The above orders were passed on the allegation that petitioners were causing inconvenience to the pedestrians by keeping the salable articles on the pavements outside the shop premises.

3. Having regard to the allegations levelled in the order impugned, to show their bonafides, petitioners filed affidavits giving undertaking that they would not keep/spread any goods or articles for sale on the footpath or road. These affidavits are taken on record. The undertaking reads as under:

“2..... I hereby unconditionally undertake that I will not keep/spread any goods or articles for sale on the footpath or road at Osmania Bazar, Hyderabad during my business hours.

3. I submit that if I violate the above undertaking GHMC is at liberty to take Civil/Criminal action against me.”

4. Having regard to the undertaking given by petitioners and with the consent of the learned counsel for petitioners and learned standing counsel, without entering into the rival contentions of the parties on merits, these writ petitions are disposed of as under:

1. In the light of the undertaking given by the petitioners, respondent corporation is directed to restore the Trade Licences granted in favour of the petitioners.
2. For all times petitioners shall not keep or spread any goods or articles outside the business/establishment premises and shall not obstruct in any manner footpath /pavements.

3. If petitioners violate the undertaking given by them, it is open to the respondent corporation to cancel the trade licence without further notice and also entitled to take civil/criminal action against the petitioners.

No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 3.11.2016

Note : Issue copy in 3 days.
B/o TVK



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