

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.43768 OF 2016

ORDER:

Heard Mr.Ravi Kiran Rao for petitioners and Mr.G.Narender Reddy for 4th respondent Gram Panchayat.

The petitioners challenge notice dated 03.12.2016. The notice impugned reads thus:

**"OFFICE OF THE GRAMPANCHAYAT, ASIFABAD,
DISTRICT KUMARAM BHEEM ASIFABAD**

No.86/GPA/2016

Date 03.12.2016

All the vendors of chicken/mutton/fish of Asifabad Town are hereby informed that by Friday 9.12.2016, the chicken/mutton/fish shops located at different places in the village are hereby establish their shops in the place allocated to them in the Jubilee Market. Otherwise your trade licence will be cancelled. The conditions mentioned hereby below should be followed:

1. Establish in the place allotted by the Grampanchayat only.
2. Erect the bunks in the place allocated to you as per the measurements shown by the Grampanchayat (strictly adhere to length of 10' feet width of 8' feet and height of 10' feet).
3. The waste material which is generated from the shops should be thrown at the place earmarked by the Grampanchayat.
4. Provide a dust bin in front of every shop for collecting the waste materials.

Sd/-
Panchayat Secretary,
Grampanchayat, Asifabad."

On instructions, Mr.Narender Reddy submits that the writ petition is filed challenging a general notice issued by the Gram Panchayat and as a matter of fact, the 4th respondent is now taking

steps to streamline the establishment and the vending of chicken/mutton/fish at market place and the notice calls upon the petitioners to firstly do business at the place allotted to the respective petitioners, ensure that litter generated from the shops is not dumped at the irregular places etc., and no cause of action is made out for entertaining the writ petition.

Learned counsel for petitioners submits that the respondent by referring to general notice is taking steps to forcibly evict or demolish the shops in which the petitioners are doing business.

The submissions are noted and, *prima facie*, this Court is of the view that the 4th respondent with a view to setting in motion the planned utilization of market areas has issued the notice. If the Gram Panchayat sees occupation of road margins or further is of the view that the petitioners are to be re-located from the existing place of business, it is needless to observe that such steps are in accordance with law and the provisions of the Panchayat Raj Act.

The writ petition is, accordingly, disposed of. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any pending, also stand disposed of.

S.V.BHATT,J

19th December, 2016
LrkM