

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.12335 OF 2017

ORDER:

Heard the learned counsel for the petitioners and Sri Md. Saleem, learned standing counsel for the 2nd respondent and the learned Government Pleader for respondents 1 and 3.

It is an admitted fact that the lease granted in favour of the petitioners has been expired and the petitioners have no vested right in them to seek further renewal. Further, the structure, in which the petitioners are running their businesses, is in dilapidated condition and the 2nd respondent-Municipality had come to definite conclusion that the said dilapidated structure requires to be demolished. As a matter of fact, the authorities of the 2nd respondent had taken a decision to demolish and reconstruct a new complex in the location. In the circumstances, and there being no vested right in the petitioners to seek further extension, and the relief of the nature, which the petitioners seek cannot be granted, the Writ Petition is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. However, as a matter of fact, 3rd petitioner filed an affidavit on behalf of the petitioners giving undertaking to vacate the premises as per the directions of this Hon'ble Court, however, prays for granting some time to enable them to find alternative accommodation to carryout their business. After discussions, a consensus has been arrived at to the effect that the petitioners undertake to vacate the premises on or before 31.05.2017 to enable the respondent municipality to carryout the demolition of the building and for fresh construction. Accordingly, time granted to the petitioners, till 31.05.2017, for vacating the subject premises.

Miscellaneous petitions, if any, pending shall also stand closed. No costs.

CHALLA KODANDA RAM, J

Dated:18.04.2017.

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