

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO.22368 OF 2004

ORDER:

Aggrieved by the proceedings of the first respondent in Rc.No.E4/1873/89, dated 25.09.2004, canceling the confirmation of sale in favour of the petitioner in respect of evacuee property House No.9-3-72 (Old No.2716), near Metro Hotel, Station Road, Khammam.

2. Heard.

3. The petitioner stood as the highest bidder in the public auction conducted on 07.03.1994 in respect of the subject property for an amount of Rs.34,000/-. The petitioner has paid part of the bid amount, pursuant to which, the third respondent has issued confirmation orders in Rc.No.C8(M)1873/89, dated 21.03.1994. Later, the petitioner failed to fulfill his contractual obligation of paying the balance bid amount in the time stipulated, as such, there was an inordinate delay of four years. Thereafter, the first respondent, by the impugned proceedings dated 25.09.2004, cancelled the confirmation orders of the third respondent dated 21.03.1994 directing him to conduct re-auction of the subject property.

4. It is clear from the records that the petitioner, despite having sufficient opportunity, had failed to fulfill his part of contractual obligation in payment of balance bid amount, within the time stipulated. Therefore, there are no grounds to interfere with the

order of the first respondent and the writ petition is liable to be dismissed.

5. Accordingly, the writ petition is dismissed. The respondents are directed to return the amounts deposited by the petitioner, in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. In the event if the respondents fail to repay the amount to the petitioner within the time stipulated, thereafter, the amount shall carry interest @ 18% per annum. No costs. No costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

Date: 19-12-2017
TJMR



T.AMARNATH GOUD, J