

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No33226 OF 2017

ORDER

Heard learned counsel appearing for the petitioner and learned Standing Counsel appearing for the respondent-Corporation.

This writ petition was filed challenging the action of the 3<sup>rd</sup> respondent in issuing a notice dated 4.9.2017 directing the petitioner to vacate stall No.32 situated at Banswada Bus Stand.

It is the case of the petitioner that his lease is subsisting till 5.8.2021 and even before expiry of the said period, the impugned notice was issued.

A reading of the impugned notice indicates that the said stall place is required for expansion of platforms at Banswada Bus Station.

In view of the same, by invoking clause 35 of Deed of License, the respondents have issued the notice for vacating the stall.

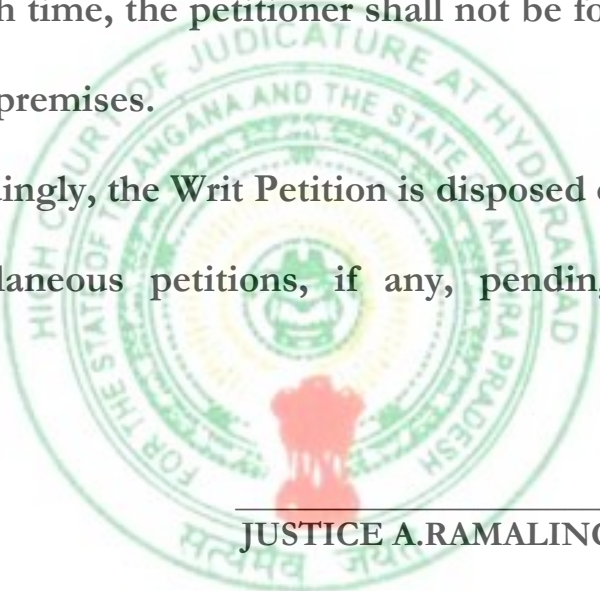
When the matter was taken up for consideration, learned Standing Counsel for the respondents was directed to get instructions with regard to accommodating the petitioner in any alternative shop.

Learned Standing Counsel appearing for the respondents submits that since the petitioner submitted representation on 01.10.2017, the same would be considered in accordance with law.

In view of the same, respondent No.2 is directed to consider the representation of the petitioner dated 01.10.2017 by allotting either stall No.32 or any other open place adjacent to it and pass appropriate orders thereon in accordance with law. Till such time, the petitioner shall not be forced to vacate the existing premises.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.



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JUSTICE A.RAMALINGESWARA RAO

11<sup>th</sup> October, 2017  
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