

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

WRIT PETITION No.1773 of 2011

ORDER:

This Writ Petition is filed by the petitioner seeking a direction in the form of Writ of Mandamus declaring the impugned action of the respondent authorities in not allotting COCO Retail Outlet to the petitioner as violative of statutory parameters/guidelines issued by the 4th respondent and violative of Articles 14 & 19 (1)(g) and 21 of the Constitution and consequently direct the respondents to allot COCO Retail Outlet to the petitioner in terms of Para 2 (vi) of the directives contained in No. P-19011/1.2001-OOC dated 6.9.2006 of the 4th respondent in any one of the notified COCO retail Outlets in the territorial jurisdiction of GHMC/HMDA, Hyderabad.

2. The petitioner claimed that she is a war widow as her husband died in Operation Rakshak in State of Jammu and Kashmir on 22.5.1996. As per the policy of the Union of India, the petitioner being war widow is entitled to claim preferential allotment of COCO Retail Outlets under Defence Category. In pursuance of the notification issued in the year 2001 by the then IBP Company Limited, which was subsequently merged with second respondent company, the petitioner applied for allotment. Though initially she was intimated by a letter dated 21.8.2001 that Retail Outlet dealership at Khatedan Ring Road, Ranga Reddy District was allotted, however, by an another communication dated 11.2.2008 it was informed the allotment of COCO would be made on

27.2.2008 and she was informed to attend the State Office. However on that day, her allotment was cancelled. Hence, the Writ Petition.

3. There is no representation for petitioner.

4. When the matter came up for hearing, learned counsel for respondent Nos. 1 to 3, on instructions would submit that the petitioner was allotted a Retail Outlet at Amberpet and to that effect a tripartite agreement dated 28.11.2014 was executed between the petitioner, owner of the land, and first respondent and in that view of the matter, the cause in the Writ Petition no more survives and hence, the Writ Petition may be closed.

5. Learned counsel filed a copy of the tripartite agreement styled as 'Three Party Lease Deed' dated 28.11.2014, which supports the submission of learned counsel for respondents 1 to 3.

6. Learned counsel for 4th respondent is present and reported no objection for closing of the matter.

7. In these circumstances, the Writ Petition is closed recording the submission made by the counsel for respondents 1 to 3. There shall be no order as to costs.

As a sequel there to, miscellaneous applications, pending if any, shall stand closed.

U.DURGA PRASAD RAO, J

Date: 21.08.2018
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