

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.30788 of 2017

O R D E R:

This writ petition is filed seeking to declare the action of respondent No.1-Aspari Gram Panchayat in intending to conduct auction for grant of licence in respect of tomato market, without following due process of law, as illegal and arbitrary and consequently to direct respondent No.1 not to grant licence till expiry of the licence of the petitioner i.e., 31.03.2018.

The petitioner states that he was granted licence by respondent No.1 for sale of tomato and vegetables in Aspari Vegetable Market on payment of entire licence fee, valid up to 31.03.2018. However, he noticed that a news item was published on 09.09.2017 in a newspaper stating that auction will be held on 11.09.2017 and the interested contractors may participate. He further states that since he paid the entire licence fee for one year and his licence is valid up to 31.03.2018, no auction shall be conducted till the expiry of his licence.

On 12.09.2017, while issuing notice before admission, this Court passed the following interim order:

“In the meanwhile, there shall be stay of conduct of auction for which the petitioner was permitted to continue during the year 2017-18.”

Since the grievance of the petitioner is limited to the extent of not conducting auction till 31.03.2018 and as on date, the said period had elapsed, as such, there being no right to the petitioner to prevent the auction for grant of licence, the writ petition is closed. However, the respondents are at liberty to conduct auction for the period 2018-19.

Miscellaneous petitions, if any, pending in this writ petition shall also stand closed. There shall be no order as to costs.

Dt:25.04.2018

kdl



CHALLA KODANDA RAM, J

