

THE HON'BLE SRI JUSTICE S.V.BHATT

W.P. No.18220 of 2018

ORDER:

No representation for petitioner on 05.06.2018 as well as today.

The petitioner challenges notice issued by respondent No.4 as illegal, arbitrary and unconstitutional.

The notice has been issued calling for petitioner's explanation after noticing a few commissions and omissions, on the part of the petitioner.

The prayer refers to fixation of lease amount for the reminder of lease period. These matters firstly from any angle governed by the terms of lease deed and secondly, if bona fides are proved, it is for the authorities to exercise discretion and extend time for performance of obligation by the petitioner.

The learned Assistant Government Pleader referring to written instructions dated 05.06.2018 contends that the affidavit suffers from suppression of details and no challenge within the frame work of law, against the notice is made out.

I have perused the record and this Court is of the view that challenge within the scope of judicial review, to notice is not made out and the petitioner, if so, advised, may file explanation within two (02) weeks from the date of copy of this order.

This Court has no reason to doubt that the 4th respondent will favourably consider the reply, if any given, by the petitioner and take steps in accordance with law.

Writ petition is disposed of, as indicated above. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 06.06.2018
dv

S. V. BHATT, J



