

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.26480 OF 2018

ORDER :

This Writ Petition is filed challenging the Cotton Stock Auction Notice dated 12.07.2017, published on 15.07.2018 in 'Eenadu' news paper as illegal and arbitrary and contrary to the terms and conditions of orders in I.A.No.1 of 2018 in WP No.9321 of 2016, dated 11.06.2018.

Heard learned counsel for the petitioner and Sri A.Krishnam Raju, learned counsel for the 2nd respondent.

Learned counsel for the petitioner mainly assails the conditions No.4 of impugned auction notice stating that *interse* bidding amongst the three highest bidders is bad. He also submit that the other conditions Nos.5 and 6, which are to the effect that the sellers did not take any responsibility either for the quality or the quantity of the Cotton stock and also the applicability of rule of Caveat Emptor (Buyer beware), as illegal and arbitrary.

On the other hand, Sri A.Krishnam Raju, learned Standing Counsel for the 2nd respondent Bank submits that the petitioner having participated in the auction, he cannot question the terms and conditions of the impugned auction notice. He submits that there is nothing wrong in fixing such criteria.

In this case, it is to be seen that except stating that condition Nos.4, 5 and 6 of the terms and conditions of the impugned notification are bad, there is nothing specific on record to show that the said conditions are illegal and arbitrary. That apart, petitioner

himself participated in the auction and was unsuccessful, as such, on that ground also, petitioner is non-suited for filing present Writ Petition.

In view of above facts and circumstances, I do not see any merit in the Writ Petition and accordingly, the same is dismissed. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the Writ Petition, shall stand closed.

30.07.2018
kvs

A.RAJASHEKER REDDY, J



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Date: 30.07.2018

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