

HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION NO.13361 OF 2013

ORDER :

This Writ Petition is filed seeking to declare the action of the respondents in issuing order dated 24.04.2013 to vacate shop No.1, Municipal Shopping Complex, Subhash Road, Kakinada, E.G.District within one day is arbitrary and illegal.

An interim direction was passed on 09.05.2013, observing as follows:

In the meanwhile, the respondents may conduct auction of the leasehold rights of the mulgi and the petitioner can participate therein. In case, the petitioner emerges as the highest bidder, or, if he is willing to pay the amount that is fetched as the highest bid, fresh lease shall be granted to him. The petitioner shall be evicted if any third party is declared as highest bidder.

Learned Standing Counsel for the respondent submitted that pursuant to the interim direction, auction has been conducted and the petitioner's mother participated in the said auction. But some other 3rd party has become highest bidder. Hence, the shop is allotted to the 3rd party.

Learned counsel for the petitioner admits the same.

Hence, the Writ Petition is closed as no further orders are necessary. No orders as to costs.

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

KONGARA VIJAYA LAKSHMI,J

5th December, 2018

JR

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5th December, 2018

JR