

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 37510 of 2018

Date : 29.10.2018

Between:

M/s Balaji Oil Mill

Rep by its Proprietor Puredla Girish Babu S/o Krishna
Murthy Reddy Situated at Erukonda Complex Opp Old
Vegetable Market Main Road Rajamahendravaram East
Godavari District

Petitioner

And

The State of Andhra Pradesh

Rep by its Principal Secretary Cooperation Department
Secretariat Velagapudi Village Amaravathi Guntur District
And others

Respondents

The Court made the following:



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ORAL ORDER:

This writ petition is filed challenging the auction notice dated 7.9.2018 in Form No.8 under Rule 52 Clause 11 (e) as well as notice dated 7.9.2018 in Form 9 under Rule 52 Clause 10 (e) of the A.P. Cooperative Societies Rules to conduct auction on 31.10.2018. The notice is challenged primarily on the ground that the notice does not specify value of the property and there is possibility of participants in the auction quoting lesser price than the market value which is very high and the same vitiate the impugned notice.

2. On instructions, learned Assistant Government Pleader fairly submits that there were lapses in not specifying the value of the property and same may be set aside with liberty to take further course of action in the matter in accordance with law.

3. Having regard to the said submission of learned Assistant Government Pleader, without entering into the claim of the petitioner, the impugned notice dated 7.9.2018 is set aside, granting liberty to the respondents to proceed in accordance with law to recover the due money.

4. Accordingly, the writ petition is allowed. No costs. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 29-10-2018
TVK

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