

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.3665 of 2019

ORDER:

Petitioner challenges the notice dt.16-01-2019 and the termination letter dt.09-02-2019 of the 4th respondent terminating its contract of execution of road works between Jankampet-Basar Road from 0/0 to 19/2, etc.

2. When the matter came up for admission on 22-02-2019, this Court directed the learned Government Pleader for Roads and Buildings, appearing for the respondents, to get instructions as to why the impugned order shall not be set aside, for, the said order *prima facie* appears to be a non-speaking order. This Court also gave liberty to the respondents to consider the objections raised by the petitioner and to pass appropriate orders.

3. Today, when the matter is taken up for hearing, counter affidavit was filed by the 4th respondent-Executive Engineer (R&B). In para-22 thereof, it is stated that pursuant to the order dt.22-02-2019, the Department had considered the objections of the petitioner and decided to grant extension of time to execute the work to be completed by November 2019.

4. Though the learned counsel for the petitioner submits that the impugned order can be set aside, since extension of time has already been granted by the respondents, the termination order is

deemed to have been rescinded by implication, as such, no separate declaration is required. Therefore, as the relief, which the petitioner claims, stands granted by the Department itself, no further orders are required to be passed in this Writ Petition.

5. Accordingly, the Writ Petition is closed. No costs.

6. Miscellaneous petitions pending in the Writ Petition, if any, shall stand closed.

JUSTICE CHALLA KODANDA RAM

11-03-2019.
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