

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.10152 of 2019

ORDER:

This Writ Petition is filed seeking writ of mandamus declaring the action of the respondents in terminating the Agreement of the petitioner vide impugned order vide Ref.No. WDO/ADB/JFS, dated 10.12.2018, as illegal, arbitrary and consequently to set aside the same.

Heard learned counsel for the petitioner and Sri D.Narendra Naik, learned Standing Counsel appearing for the respondents.

Though the petitioner filed this writ petition, he also filed appeal before the appellate authority on 09.01.2019, challenging the termination order dated 10.12.2018.

Learned counsel for the petitioner submits that the basis for passing impugned termination order itself is illegal. He further submits that though the supplies to the petitioner are suspended in the year 2014, the respondent authorities terminated the petitioner's agreement only on 10.12.2018, which is causing lot of prejudice to the petitioner.

Learned Standing Counsel for the respondents submits that there are number of appeals pending, as such, three months time may be granted for disposal of the appeal.

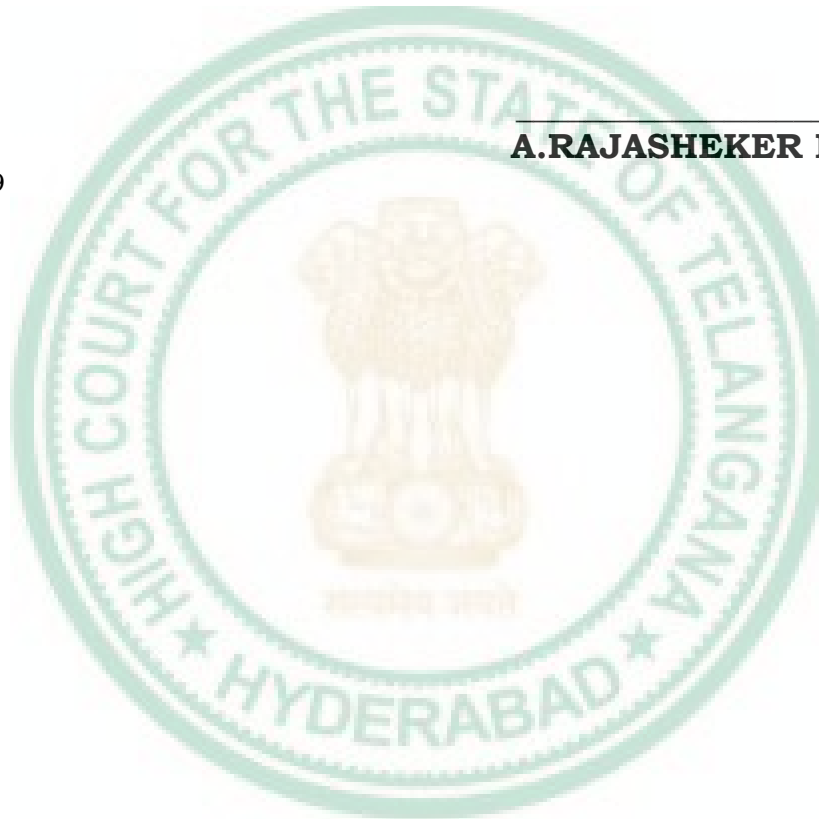
In this case, it is to be seen that the fact of filing of appeal before the appellate authority by the petitioner is not in dispute, as the petitioner himself filed appeal. Since the petitioner has availed the efficacious alternate remedy, this Court is not inclined to entertain the Writ Petition. However, the fact remains that the appeal filed by the petitioner is pending from 09.01.2019 onwards, it is not known as to why the same is kept pending for so long, when the marketing

guidelines provides for disposal of appeal as expeditiously as possible, preferably within a period of 90 days.

In view of the same, this Writ Petition is disposed of directing the appellate authority to dispose of the appeal filed by the petitioner on 09.01.2019, within a period of two months from the date of receipt of a copy of this order, in accordance with law. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

22-07-2019
kvs

A.RAJASHEKER REDDY,J



HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

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Date: 22.07.2019

kvs

