

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.9366 OF 2009

Dated:28.08.2019

Between:

A. Bhaskar, S/o. A. Narsimulu,
aged about 32 years, Occ: Business,
R/o.H.No.6-6-134, Hamalwadi,
Nizamabad Mandal and District

.. Petitioner

And

The District Collector and Magistrate,
Nizamabad District at Nizamabad and others

.. Respondents



This court made the following :

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.9366 OF 2009

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Industries and Commerce for respondents 2 to 5 and learned Government Pleader for Revenue for respondents 1 and 6.

2. Petitioner claims to be the resident of Hamalwadi. In this Writ Petition, he challenges the proceedings of the Assistant Director of Mines and Geology, Nizamabad, dated 20.02.2009, whereunder the Assistant Director accorded permission to respondent No.7 to lift ordinary sand to a tune of 25000 M3 for a period of one year i.e., 20.02.2009 to 19.02.2010 from the sand reach of Dharmora Village. Petitioner claims that granting of such lease on misrepresentation made by respondent No.7 was illegal and respondents ought to have conducted open auction.

3. By order dated 30.04.2009, while admitting the Writ Petition, this Court granted *status quo* existing as on that date.

4. Petitioner filed W.A.No.660 of 2009. The Division Bench of this Court, while admitting the Writ Appeal, by order dated 13.05.2009 in W.A.M.P.No.1299 of 2009 suspended the proceedings of the Assistant Director of Mines and Geology dated 20.02.2009.

5. On 28.05.2009, the earlier interim order was vacated. Having noticed the fact that the earlier interim order was vacated and the lease period mentioned in the order impugned was over

by 19.02.2010, the Writ Appeal was disposed of as becoming infructuous.

6. As the Writ Appeal was preferred against the interlocutory orders in this Writ Petition, ultimately Writ Appeal was disposed of as becoming infructuous and having regard to the fact that the period mentioned in the order impugned was already expired, nothing survives in the Writ Petition and the Writ Petition is accordingly dismissed. Pending miscellaneous petitions, if any, shall stand closed.

Date:28.08.2019

KH

P.NAVEEN RAO, J

