

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 23845 of 2019

ORDER:

Petitioner asserts that she was declared as successful bidder with respect to shop No.30, Block-A at Municipal Shopping Complex weekly market, Bodhan, on 20.02.2006; that she deposited Rs.14,000/- therefor, but, she was not handed over the possession of the subject shop; that she received notices dated 18.05.2013, 03.09.2013 and 30.11.2013 demanding her to pay arrears of rent to a tune of Rs.83,145/- from 01.03.2006 to 30.11.2013 with respect to the subject shop and that she got issued legal notices dated 04.12.2013, 22.01.2015, 24.03.2015 and 19.10.2015 and also submitted representations before the second respondent – Municipality, Bodhan, rep. by its Commissioner, with a request to execute the lease deed by handing over her the physical possession of the subject shop, but, the second respondent has not responded to the same as yet. Hence, she filed this Writ Petition.

Admittedly, the open auction was conducted on 20.02.2006. The petitioner herself is not aware of the lease period and she has not explained as to her being silent for all these years. In view of the same, no relief can be granted in her favour. Further, as on date, the second respondent did not initiate

proceedings for collecting the alleged arrears of rent except issuing notices in 2013.

In those circumstances, this Writ Petition is dismissed. However, both the parties are at liberty to avail the remedies as may be available to them in civil law.

Miscellaneous Petitions, if any pending, shall stand dismissed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

5th NOVEMBER, 2019.

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