

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.24160 of 2019

ORDER:

The present writ petition is filed to declare the action of the second respondent in not granting permission and not fixing the upset price for conducting public auction for leasing out the Nimmallamma Cheruvu of Kethapalli Village and Mandal, Nalgonda District, as per the Gram Panchayat resolution dated 25.10.2019, as illegal and arbitrary.

2. Heard learned counsel for the petitioner, learned Government Pleader for Panchayat Raj appearing for respondents 1 to 3 and Sri G.Narender Reddy, learned standing counsel appearing for respondent 4.

3. Pursuant to the orders of this Court dated 20.11.2019, learned Government Pleader for Panchayat Raj obtained instructions and submits that letter, dated 29.10.2019, addressed by the Mandal Parishad Development Officer (MPDO) has been received by the Divisional Panchayat Officer (DLPO) and by Memo No.4/2019/B1(pancha), dated 18.11.2019, the said authority has directed the MPDO to furnish certain information relating to fixation of upset price in the past years. In response to the said communication addressed by the DLPO, the MPDO has furnished information, *vide* his letter, dated 23.11.2019. It is stated that since the communication has been received only on 23.11.2019, the authority concerned would take the same into consideration and initiate steps to fix the upset price for conducting the auction within a period of one week.

4. Having regard to the submission made by the learned Government Pleader that the DLPO would initiate steps for fixing the upset price within one week from today, the Gram Panchayat is directed to conduct public auction within a period of two weeks from the date of receipt of the order from the DLPO, fixing the upset price.

5. With the above direction, the writ petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

Date:25.11.2019

JUSTICE T.VINOD KUMAR

GJ

