

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.20764 of 2009

ORDER:

When the matter is taken up for hearing, learned counsel for the petitioner submits that the 3rd respondent was awarded a Retail outlet very adjacent to the Electrical Sub-Station ignoring the case of the petitioner. He further submits that the Retail Outlet, which was awarded in favour of the 3rd respondent, is contrary to the Rules and, therefore, the Retail Outlet granted in favour of the 3rd respondent is liable to be cancelled.

Learned Standing counsel appearing for respondents 1 and 2 and the counsel appearing for the 3rd respondent have filed separate counter affidavits denying the submission made by the petitioner and in his counter affidavit, the 3rd respondent has specifically stated that there is no Electrical Sub-Station adjacent to the 3rd respondent's retail outlet. Therefore, respondents 1 and 2 have rightly allotted Retail Outlet in favour of the 3rd respondent.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that respondents 1 to 3 have specifically denied that the 3rd respondent's Retail Outlet, which was sanctioned by respondents 1 and 2, is not adjacent to the Electrical Sub-Station. Therefore, there are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

