

THE HONOURABLE SRI JUSTICE K.SARATH

WRIT PETITION No.12725 of 2021

ORDER:

This writ petition is filed for the following relief:

“....to issue an order or orders more particularly one in the nature of Writ of Mandamus to declare the proceedings No.1216169/PM(IPU)/TSIIC/2009 dated 22.01.2021 issued by the respondent NO.2 snf to declare the proceedings letter No.694/IP&INF/A2/2020 dated 28.12.2020 of the respondent No.1 as arbitrary, illegal and violative of principles of natural justice...”

2. Heard Sri G.Narendar Reddy, Learned Senior Counsel for Sri M.Srikanth Reddy, Learned Counsel appearing for the petitioner and Learned Government Pleader for Industries and Commerce Department appearing for the respondent No.1 and Sri L.Prabhakar Reddy, Learned Standing Counsel appearing for the respondent Nos.2 and 3

3. The Learned Senior Counsel for the petitioner submits that the petitioner Bank is a Public Sector Bank. The Respondent Corporation allocated land to erstwhile State Bank of Hyderabad in G.O.Rt.No.501 dated 06.08.2010 at a

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total cost of Rs.13.33 crores for construction of office building and other complex. In pursuance of the said G.O., the land cost and process fee was remitted by the petitioner and accordingly, allotment letter issued by the respondents on 15.12.2010 and the possession of the land of the petitioner was delivered to the petitioner on 12.01.2011.

4. Learned Senior Counsel for the petitioner submits that they incurred considerable amount on Feasibility Certificate issued by Hyderabad Metropolitan Water Supply and Sewage Board, No Objection Certificate issued by Airport Authority India, Hyderabad Airport, No Objection Certificate issued by State Disaster Response and Fire Service Department, Hyderabad, Environment Clearance and Building Permit Order from GHMC for construction of Twin Towers. After obtaining the approvals, construction work commenced and basement excavation work was completed in 2016. Thereafter, there is delay on part of the SBH and subsequently, State Bank of Hyderabad merged with State Bank of India in the year 2017. The respondent No.2

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issued proceedings dated 22.01.2021 for cancelling the allotment orders for non-implementation of the project basing on the orders issued by the respondent No.1 in proceedings in letter No.694/IP & INF/ A2/2020 dated 28.12.2020.

5. Learned Senior Counsel for the petitioner submits that before issuing the letter No.694/IP & INF/A2/2020 dated 28.12.2020, the respondent No.2 submitted letter to the respondent No.1 in Lr.No.1219/PM (IPU)/TSIIC/2009 dated 01.09.2020 and in which mentioned about the detailed time line submitted by the petitioner and requested to issue necessary orders on the request of petitioner for implementation of the project. But, the respondent No.1 without taking into account of the time line submitted by the petitioner bank issued orders on 22.08.2020 and consequentially, the respondent No.2 passed present consequential cancellation orders passed on 22.01.2021. In view of the same, the Learned Senior Counsel appearing for the petitioner requested to allow the Writ Petition.

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6. Learned Counsel for the respondents submits that the respondents given ample time to the petitioner bank for completion of project. In spite of that the respondents' bank failed to complete the same. In view of the same, the respondents rightly cancelled the allotment to the petitioner bank. In view of the same, no interference is needed in this matter and requested to dismiss the Writ Petition.

7. After hearing both sides, this Court is of the considered view that as the erstwhile State Bank of Hyderabad merged with State Bank of India. Both are public undertakings and admittedly the respondent No.1 without taking into consideration of the letter addressed by the respondent No.1 on 01.09.2020 passed impugned orders on 28.12.2020 and in view of the same, consequential orders dated 22.01.2021 passed by the respondent No.2.

8. In view of peculiar circumstances, this Court without going into the merits of the case disposing of this Writ Petition by setting aside the impugned proceedings dated

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28.12.2020 and consequential proceedings dated 22.01.2021 and directing the respondent No.1 to reconsider the letter submitted by the respondent No.2 on 01.09.2020 and passed appropriate orders within twelve (12) weeks from the date of receipt of copy of this order.

9. Accordingly, with the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

10. The miscellaneous petitions pending, if any shall stand closed.

JUSTICE K.SARATH

Date:28.12.2022

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