
(2011) 12 KAR CK 0195

In the Karnataka High Court

Case No : Writ Petition No. 43989 of 2011 (APMC)

B K Shankaraiah and Sons

APPELLANT

Vs

State of Karnataka

RESPONDENT

Date of Decision : 01-12-2011

Acts Referred:

Citation : (2011) 12 KAR CK 0195

Hon'ble Judges : B.V. Nagarathna, J

Bench : Single Bench

Advocate : B.R. Satenahalli, for the Appellant; K. Krishna, AGA for R1 and R2 and Sri. D. Vijay Kumar, for R3, for the Respondent

Judgement

Hon''ble Mrs. Justice B.V. Nagarathna

1. Though this writ petition is posted for preliminary hearing, with consent of the learned counsel appearing on both sides, it is heard finally.

2. The petitioner has stated that he is a trader in the notified agricultural commodities having obtained a licence and carrying on the retail trade in foodgrains and pulses. The respondent No. 3 - Marketing Committee has issued a notification dated 18/10/2010 calling for applications from the retail traders for allotment of sites in the Market Yard. The petitioner has filed his application pursuant to the said notification. It is the case of the petitioner that he has already made earlier attempts to get a site in the Market Yard. The petitioner has contended that as far as Block-B is concerned, seniority list of the persons eligible for allotment of sites has been published but his name does not find a place in the said list. However, the petitioner has stated that he has also made application for consideration of his case with regard to Block-A sites to be allotted. The grievance of the petitioner is that since his name does not find a place in the seniority list published by respondent No. 3 as per Annexure "C", his application may be considered for allotment of any site in Block-A.

3. I have heard the learned counsel for the petitioner and the learned counsel for

respondent and perused the material on record.

4. It is not in dispute that the petitioner's name does not find a place in the seniority list, a copy of which is produced at Annexure "C". Therefore, the petitioner is seeking consideration of his application for allotment of a site in Block-A. Under the circumstances, application filed by the petitioner dated 22/11/2010, a copy of which is produced at Annexure "B" shall be considered for allotment of site in Block-A. It is needless to observe that the said application shall be considered in accordance with law.

5. With the aforesaid direction, this writ petition is disposed of.

Counsel for respondents are permitted to file their power/memo of appearance, within a period of 3 weeks from today.