
(2013) 08 MP CK 0060

In the Madhya Pradesh High Court

Case No : Writ Petition No. 13072 of 2013

Babulal @ Babbu Dwivedi

APPELLANT

Vs

The State of Madhya Pradesh

RESPONDENT

Date of Decision : 05-08-2013

Acts Referred:

Citation : (2013) 08 MP CK 0060

Hon'ble Judges : Sanjay Yadav, J

Bench : Single Bench

Advocate : Gyanendra Patel, for the Appellant;

Final Decision : Dismissed

Judgement

Sanjay Yadav, J.—Heard. Order dated 09/07/2013 whereby respondent No. 3, Nagar Parishad Chitrakoot has terminated the Vehicle Parking Contract, 2013-2014 is being assailed vide this petition.

2. The contract in question was allotted to the petitioner in pursuance to order dated 06.04.2013 on the terms and conditions agreed between the petitioner and respondent No. 3, extended on 10.06.2013; whereby, besides other terms it was agreed that the installment shall be paid by the petitioner before 7th of every month and in case of default of two months, the contract would be cancelled.

3. Clause 4 and 5 of the contract agreement stipulates:

4. The petitioner, as apparent from the material on record committed default in payment of installment of April and May, 2013 and despite of repeated notice, the default was not cleared which resulted in exercise of option as per clause 5 of the agreement.

5. Though the petitioner submits that he may be given one opportunity to cure the default and deposit the lump sum, however in view of the terms agreed by the petitioner as contained in clause 4 and 5 of the agreement, there is no scope

of the renewal of contract on its being terminated in breach of the conditions.

6. In view whereof, no interference is caused. Petition fails and is dismissed. No costs.