

IN THE HIGH COURT OF KARNATAKA  
CIRCUIT BENCH AT DHARWAD

DATED THIS THE 14<sup>th</sup> DAY OF SEPTEMBER, 2011

BEFORE

**THE HON'BLE MR.JUSTICE RAM MOHAN REDDY**

W.P.Nos.64951-54 OF 2010

BETWEEN:

1. M/S A MOHAMMED IBRAHIM  
GENERAL MERCHANTS  
AND COMMISSION AGENT, APMC YARD,  
SIRGUPPA REP. BY ITS PROPRIETOR  
MOHAMMED IBRAHIM S/O A.T. NABI  
AGE: 35 YRS.
2. M/S PARVATI TRADERS, APMC YARD,  
SIRUGUPPA TQ. REP. BY ITS PROPRIETOR  
K. PRAKASH S/O K VEERANAGOUDA  
AGE: 34 YRS.
3. M/S. AMARESHWARA RICE MILL,  
ADONI ROAD, SIRUGUPPA TQ.  
REP. BY ITS PROPRIETOR BASANAGOUDA  
S/O AMAREGOUDA AGE: 31 YRS.
4. NAGARESHWARA ENTERPRISES  
GENERAL MERCHANTS & COMMISSION AGENT,  
APMC YARD, SHIRUGUPPA TQ.  
REP. BY ITS PROPRIETOR  
SRI.M.R.RAGHAVENDRA,  
S/O M.MARUTHI SHETTY, AGED 38 YEARS.  
... PETITIONERS

(By Sri. CHANDRASHEKAR P.PATIL, ADV.)

*pd*

AND

1. THE DIRECTOR,  
AGRICULTURAL MARKETING,  
RAJ BHAVAN ROAD,  
BANGALORE
- 2 THE SECRETARY  
AGRICULTURE PRODUCE  
MARKETING COMMITTEE,  
SIRUGUPPA, BELLARY DISTRICT.

... RESPONDENTS

(By Sri. MALLIKARJUNA C.BASAREDDY, ADV.)

THESE WRIT PETITIONS ARE FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER/NOTICE DT.11.6.2008 PASSED/ISSUED BY THE 2<sup>ND</sup> RESPONDENT PRODUCED AS ANNEXURES-C,D, AND E RESPECTIVELY.

THESE WRIT PETITIONS COMING ON FOR ADMISSION, THIS DAY THE COURT MADE THE FOLLOWING:

### **ORDER**

Sri.Chandrashekar P.Patil, learned counsel for the petitioners submits that Annexures-C, D and E of even date 11.6.2008 issued by the 2<sup>nd</sup> respondent-Agricultural Produce Marketing Committee are notices of forfeiture of the sites allotted to the petitioners.



2. Sri.Mallikarjuna C.Basareddy, learned counsel for the respondent-APMC submits that these forfeiture notices were issued by mistake of fact though lease-cum-sale agreements were not entered into with the petitioners. In that view of the matter, petitions deserve to be allowed and are, accordingly allowed. Notices of forfeiture Annexures-C, D and E stand quashed.

**Sd/-  
JUDGE**

ln.