



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3459]

**TUESDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

WRIT PETITION NO: 19378/2015

Between:

1.M/S. OMNI ENTERPRISES,, A PROPRIETARY FIRM, HAVING ITS OFFICE AT # PLOT NO.: 169A, ROAD NO.: 3 ,AIEPEDAGANTYADA, VISHAKAPATNAM - 530 044. REPRESENTED BY ITS PROPRIETOR, SRI. NARAYAN KUMAR NARSARIA, S/O: SRI. LATE SITARAMNARSAIA, AGED: 53 YEARS, OCC.: BUSINESS, R/O: #27-3-211/1, OFFICIAL COLONY, SRINAGAR, GAJAWAKA, VISHAKAPATNAM - 530 026

...PETITIONER

AND

- 1.UNION OF INDIA, REP. BY IT'S SECRETARY, MINISTRY OF SHIPPING, TRANSPORT BHAVAN, NEW DELHI -01.
- 2.DREDGING CORPORATION OF INDIA A GOVERNMENT OF, INDIA UNDERTAKING) HAVING ITS OFFICE AT "DREDGE HOUSE" PORT AREA, VISAKAPATNAM - 530035, ANDHRA PRADESH, INDIA.
- 3.MSTC LIMITED, (A GOVERNMENT OF INDIA ENTERPRISE) HAVING IT'S OFFICE AT 6TH FLOOR, LIC BUILDINGS, "JEEVAN PRAKASH" JEEVAN BHIMA ROAD, VISAKAPATNAM - 530004.

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly a writ in the nature of Mandamus declaring the act of the Respondent No.: 2 86 3 collecting

Rs.3,70,838/- forcibly without having any provision as per the rules and regulation as illegal, arbitrary, violation of principles of natural justice and consequently directing the Respondents to repay back the extra amount paid for the material unweighed in the name of penalty, and pass order or orders as the deem fit and proper in the interest of justice.

IA NO: 1 OF 2015(WPMP 25053 OF 2015)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent Nos. 2 and 3 to consider our representation Dated: 26.04.2014 to charge only as per the weight of the material and release the extra payment paid as penalty that has been paid under protest, and to pass order or orders as the deem fit and proper in the interest of justice

Counsel for the Petitioner:

1.RAJASHEKAR THALLAPALLY

Counsel for the Respondent(S):

1.DEPUTY SOLICITOR GENERAL OF INDIA

2.G RAMA GOPAL

The Court made the following ORDER:

Though the matter was adjourned on 09.09.2025 and 04.11.2025, there was no representation for the petitioner. Hence, the matter was directed to be listed on 25.11.2025. Even on that day there was no representation on behalf of the learned counsel for the petitioner. Therefore, the matter was directed to be listed today under the caption "for dismissal".

Today when the matter is called, there is no representation for the petitioner. It appears that the learned counsel for the petitioner is not ready to prosecute the case.

Therefore, the Writ Petition is dismissed as non-prosecution. There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

Dated: 02.12.2025
KAS

JUSTICE SUMATHI JAGADAM

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THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

WRIT PETITION NO: 19378/2015

Dated: 02.12.2025
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