

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI
SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT APPEAL No.1677 of 2014

DATE: 31.12.2014

Between:

Muddu Appalakonda,
Duvvada Village,
Visakhapatnam and another.

... Appellants

And

The District Collector,
Visakhapatnam and others.

... Respondents

This Court made the following:

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI
SENGUPTA
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Judgment: (per the Hon'ble the Chief Justice Sri Kalyan Jyoti Sengupta)

We are not interfering with the judgment and order of the learned trial Judge as the learned trial Judge, on facts found that the appellants have not been able to prove their possession.

However, the learned counsel appearing for the appellants-writ petitioners says that the fact is otherwise and an appeal is pending before the appellate authority.

Hence, it would be open for the appellate authority to consider the prayer for interim order, if prayed for before him. However, the judgment and order of the learned trial Judge will not be a binding and influencing factor in that case.

The writ appeal is accordingly disposed of.

Consequently, pending miscellaneous petitions, if any, shall also stand closed. No costs.

K.J. SENGUPTA, CJ

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SANJAY KUMAR, J

Date: 31st December, 2014
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