

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD**  
**FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH**

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**WRIT PETITION No.32801 of 2015**

**BETWEEN**

Takkelapai Prasad.

**... PETITIONER**

**AND**

The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department,  
Secretariat, Hyderabad and others.

**...RESPONDENTS**

DATE OF JUDGMENT PRONOUNCED: 08.10.2015

**THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR**

1. Whether Reporters of Local newspapers may be No  
allowed to see the Judgments?
2. Whether the copies of judgment may be marked No  
to Law Reporters/Journals?
3. Whether Their Ladyship/Lordship wish to see the No  
fair copy of the Judgment?

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**ORDER:**

Heard.

2. The present writ petition is directed against the order passed by the third respondent in refusing to grant stay pending appeal preferred by the petitioner.

3. The brief facts are that the fourth respondent passed an order of resumption against the petitioner on 18.06.2015. Questioning that order, the petitioner preferred an appeal and the third respondent in Rc.No.3489/2015-K dated 24.09.2015 has admitted the appeal and after examining the records in the said appeal and the order impugned therein, has declined to grant stay.

4. The said order, being an order passed exercising discretion by the said appellate authority, interference with the said order by this Court is not called for, as the third respondent has passed the said order after examining the entire record.

5. However, the petitioner states that since his possession is likely to be disturbed, pending appeal, an order of status quo be passed.

6. The direction as prayed for above also cannot be granted inasmuch as the appellate authority is seized off the appeal and in the interest of justice, only a direction can be given

to the third respondent to fix an early date and hear and decide the appeal within a period of four (4) weeks from the date of receipt of a copy of this order.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

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VILAS V. AFZULPURKAR, J

October 8, 2015

DSK