

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI
SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT APPEAL No.105 of 2015

DATE: 18.2.2015

Between:

P. Rudra Rao,
Vijayawada,
Krishna District.

... Appellant

And

The State of Andhra Pradesh,
rep. by its Principal Secretary,
Agricultural and Cooperative
(Marketing II) Department,
Secretariat,
Hyderabad and others.

... Respondents

This Court made the following:

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI
SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT APPEAL No.105 of 2015

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Judgment: (per the Hon'ble the Chief Justice Sri Kalyan Jyoti Sengupta)

We admit the appeal for the purpose of little modification of the order and we dispose it of today itself.

The order of modification is as follows:

The Joint Collector-Executive Officer, in terms of the order of the learned trial Judge, will do the needful while considering letter No.RBZ/934/2013 dated 29.11.2013 of the Chief Executive Officer, Rythu Bazars, Hyderabad, to extend the term of the appellant-writ petitioner as per his discretion. This consideration shall be done within a period of fortnight from the date of communication of this order and in the event, the prayer for extension of the appellant-writ petitioner is not granted, then the appellant shall not be evicted till one week thereafter. Obviously, the said officer shall record the reasons for refusal of extension.

This modified order will be operating provided the appellant-writ petitioner has been in physical possession as of today, as the learned counsel for the State contends that the appellant-writ petitioner is already evicted, which fact is denied by the learned counsel for the appellant.

The appeal is accordingly disposed of.

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

K.J. SENGUPTA, CJ

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SANJAY KUMAR, J

Date: 18th February, 2015

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