

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.30550 of 2014

BETWEEN

Nakate Bapu Rao (Died) Per LRs.

... PETITIONERS

AND

Ameerullah Khan and others.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 20.11.2015

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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

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ORDER:

An order of eviction was passed against the petitioners by the Special Deputy Collector (Tribal Welfare), Utnoor in case No.TWA2/853/1996 dated 24.12.1998 with respect to Sy.No.35 admeasuring 10.00 acres out of total extent of 25.24 acres in Chandpalli Village, Bela Mandal, Adilabad District. An appeal preferred against the same before the fourth respondent in LTR Appeal No.A4/LTR/09/1999 was, however, dismissed on 19.09.2014. Against that, the petitioners filed a further appeal before the Government in 2014 and the said appeal is stated to be pending. Complaining that the respondents are interfering with the possession and enjoyment of the petitioners notwithstanding the pendency of the appeal aforesaid, the present writ petition is filed.

2. On 13.10.2014, this Court, while ordering notice, directed status quo existing as on that date to be maintained for two weeks and the said order is continued from time to time and is in force as on now.

3. Learned Government Pleader appearing for the respondents submits, on instructions, that there is no interference by any of the respondents, as alleged by the petitioners and she also confirms that the appeal preferred by the petitioners is pending consideration before the fifth respondent and the same would be heard and disposed of shortly.

4. In view of the above, therefore, it is appropriate to direct the fifth respondent to fix an early date of hearing of the appeal and after hearing all the parties interested, dispose of the appeal on its own merits, in accordance with law, preferably, within a period of two (2) months from the date of receipt of a copy of this order. The order of status quo granted by this Court, as above, shall continue pending the said appeal and shall be subject to the result of the appeal.

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.

VILAS V. AFZULPURKAR, J

November 20, 2015
DSK