

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.41994 OF 2015

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

The petitioner complains that she was given notice on 08.12.2015, though notice bears Rc.No.157/2015/A, dated 24.11.2015. Paragraph Nos.6 and 7 of the affidavit state that the Tahsildar, Nathavaram Mandal, Visakhapatnam, the 4th respondent, is not accepting any explanation on the ground that 15 days time was already over. The petitioner, however, claims to be in possession of the subject land as per Patta since 1993 and is stated to have lost her husband in the year 1996 and has to look after her four children. Alleging that further action is sought to be taken against the petitioner without giving opportunity to submit her explanation, the present Writ Petition is filed.

It is evident from the impugned Form - I notice, dated 24.11.2015, that the petitioner was called upon to submit her explanation within 15 days. However, the said notice is stated to have been served on the petitioner only on 08.12.2015. Hence, in the interests of justice, I deem it appropriate to permit the petitioner to submit her explanation on or before 04.01.2016 and on receipt of such explanation, the 4th respondent shall consider the same on its own merits and take appropriate decision in the matter in accordance with law. Pending passing of the appropriate orders, as above, the petitioner shall not be dispossessed from the land in question.

The Writ Petition is accordingly disposed of. There shall be no

order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

28.12.2015

Note:- Issue C.C. in three days.

(B/o)
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