

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.34443 OF 2015

ORDER:

Heard learned counsel for the petitioners, learned Government Pleader for Revenue (A.P) and Sri N.Aswardhanarayana, learned counsel for Respondent No.4.

The petitioners question the order dated 16.04.2015 in Rc.No.67/B/2015 of the 3rd respondent.

The writ petitioners filed another W.P.No.10305 of 2015 and the same was dismissed as withdrawn on 13.10.2015.

During pendency of that writ petition, it appears that seizure notice was suspended by this Court, by order dated 10.04.2015. During pendency of the writ petition, the present impugned order dated 16.04.2015 was passed granting time. As the said order stated to have been served on the petitioner only on 12.10.2015 and consequent upon that they withdrew W.P.No.10305 of 2015 with a liberty to question the impugned order, consequently, the present writ petition is filed.

Learned counsel for the petitioner submitted that the petitioner could not file explanation in view of the interim suspension and the pendency of the earlier writ petition.

It is evident that the impugned order is clearly appealable under the A.P.W.A.L.T.A Act, 2002. Hence, the correctness or other wise of the said order need not be gone into in this writ petition. However, keeping in view of the fact that the impugned order is stated to have been served only on 12.10.2015, the petitioner is granted one week time from today to prefer appropriate appeal and seek appropriate directions from the appellate authority. The impugned order, if not given effect to as on today, shall not be given effect for a period of 10 days from today. If such an appeal is preferred by the petitioner, the appeal shall be entertained without raising any objection as to delay.

Accordingly, the writ petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed.

VILAS V.AFZULPURKAR, J

14.10.2015

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DATE: 14.10.2015

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