

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.38619 of 2015

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27.11.2015

Between:

Kavali Omkar and another

.. Petitioners

and

The State of Andhra Pradesh,

represented by its Principal Secretary,

Endowments Department, Hyderabad and others

.. Respondents

Counsel for the petitioners: Mr.V.Sudhakar Reddy

Counsel for respondent Nos.1 to 3: Government Pleader for Endowments (AP)

Counsel for respondent No.4: Mrs.K.Lalitha,

standing counsel for Endowments (AP)

The Court made the following:

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ORDER:

The petitioners, who are the lessees in pursuance of an auction held in December, 2012, in respect of the lands of respondent No.4, filed this writ petition feeling aggrieved by the notification, dated 19.11.2015, proposing fresh auction for the said lands for three years from 2015-16 to 2017-18.

The only ground on which the aforesaid notification is questioned in this writ petition is that without giving the petitioners time to harvest the standing crop, fresh auction is proposed to be held and that the petitioners apprehend their dispossession even before the standing crop is harvested.

After hearing Mrs.K.Lalitha, learned standing counsel for Endowments (AP) appearing for respondent No.4, I am of the opinion that it would be highly iniquitous if the petitioners are deprived of the standing crop.

While this Court is not inclined to interfere with the proposed auction, respondent No.4 is, however, directed to handover possession of the lands in

question to the highest bidder only after the petitioners harvest the standing crops which are stated to be presently in existence. The petitioners shall handover the vacant possession of the lands in question immediately after harvesting the standing crop to respondent No.4 and they shall not raise any fresh crop.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No.49710 of 2015 filed by the petitioners for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

27th November, 2015

GHN