

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT**

W.P.No.18960 OF 2015

PC: *(Per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)*

Heard learned counsel for the parties.

In the instant writ petition, the petitioner makes the following prayer:

“.....to issue a writ, order or direction; more particularly, one in the nature of a Writ of Mandamus declaring the action of the 1st respondent in issuing proceedings/ directions in Complaint No.1197/2014/B1, dated 28.07.2014 and 11.11.2014 and the consequential action initiated by the 2nd to 5th respondents as legally untenable arbitrary, unconstitutional, without jurisdiction and set aside the same and consequently, direct the respondents not to interfere with the possession and enjoyment of the petitioner's land admeasuring Ac. 14.20 gts in Sy.No.132/A and 133 of Nidamanur Village and Mandal, Nalgonda District.....”

We perused the orders of Lokayuktha dated 28.07.2014 and 11.11.2014. In view of those orders, on last occasion, we had directed the petitioner to file an undertaking before this Court stating that he shall not use the land measuring Ac.14.20 gts in Survey Nos.132/A and 133 of Nidamanur Village and Mandal, Nalgonda District, for any other purpose than for agriculture, subject to outcome of Complaint No.1197/2014/B1, pending before the Lokayuktha. The undertaking is accordingly filed by the petitioner.

It is taken on record and marked X for identification.

The undertaking is accepted.

It is not in dispute that the subject land belongs to the petitioner. Keeping that in view and having considered the undertaking, we are satisfied that this writ petition can be conveniently disposed of by the following order:

“Pending the hearing and final disposal of the complaint (No.1197/2014/B1) before the Lokayuktha, the petitioner is allowed to use the land measuring Ac.14.20 gts in Survey Nos.132/A and 133 of Nidamanur Village for agriculture purpose. The petitioner is directed not to destroy or remove the tank bund under any circumstances or make any construction whatsoever in the said land and that he shall not create any third party rights in the said land.

It is made clear that this Court has not considered the complaint on merits. In the circumstances, the interim orders dated 28.07.2014 and 11.11.2014 passed by Lokayuktha stand modified in terms of this order”.

Writ petition is disposed of.

Consequently, miscellaneous petitions, if any pending, also stand disposed of.

ACJ

DILIP B. BHOSALE,

S.V.BHATT,

J

Date: 07.07.2015

Stp/Lrkm