

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

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Writ Appeal No.1209 of 2005

Date:11.12.2015

Between:

Sri S.V.L.N. Swamy Devasthanam,
Represented by its Executive Officer,
Simhachalam Devasthanam,
Simhachalam Post,
Visakhapatnam District.

Appellant

And

T.P. Varalakshmi,
Visakhapatnam and others.

... Respondents

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

Heard learned counsel for the appellant. None appears for the respondents.

This writ appeal is directed against the interim order passed pending the hearing and final disposal of Writ Petition No. 4069 of 2005. The interim order reads thus:

“Pending further orders in the writ petition, if any reconstruction agreement in respect of house bearing D. No. 5-80, situated at Middle Street, Adivivaram Village, Simhachalam Post, Chinagadili Mandal, Visakhapatnam District, is presented, second respondent shall register the same, if it is in accordance with the provision of the Stamp Act and other requirements of the Registration Act, ignoring the Gazette Notification dated 25-08-2000, impugned in the writ petition.

Delete from the caption for judgment and post on 9.6.2005 for final hearing.”

This Court, while admitting the writ appeal, stayed the impugned order and as a result thereof, the document has not been registered. Keeping that in view and considering that the respondent-original writ petitioner did not make any efforts to get the stay order vacated and considering the passage of time, we are satisfied that the writ petition need not be kept pending any further and the following order would meet the ends of justice.

“The interim order passed by this Court on 6.7.2005 shall remain operative pending hearing and final disposal of Writ Petition No. 4069 of 2005. It is made clear that we have confirmed the order of stay without

entering into merits of the case. The learned Single Judge, who is seized of the writ petition is requested to hear and decide the writ petition expeditiously.”

The writ appeal is disposed of.

Consequently, pending miscellaneous applications shall also stand closed. No costs.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

11th December, 2015

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