

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.36274 of 2015

ORDER:

Heard.

Aggrieved by the order, dated 06-06-2015 passed by the 3rd respondent, the petitioners filed W.P.No.17080 of 2015, which was disposed of on 18-06-2015 permitting the petitioners to avail appellate remedy. In the meanwhile, the respondents were directed not to give effect to the order under challenge till expiry of the time allowed for filing of appeal or till passing of appropriate orders by the appellate authority, whichever is earlier.

The petitioners' state that though they have filed appeal along with stay application on 01-09-2015, neither the appeal nor the stay application is taken up for hearing by the 2nd respondent. Pending consideration of the said appeal, the respondents are making attempts to dispossess the petitioners from the lands in question.

In the facts and circumstances of the case, it is appropriate to direct the 2nd respondent to fix an early date of hearing of the appeal and the stay petition and after notice to the petitioners, pass appropriate orders, atleast to the extent of the stay petition, preferably within two weeks from the date of receipt of a copy of this order.

Till the 2nd respondent passes appropriate orders, atleast to the extent of the stay petition, as directed above, the impugned order of the 3rd respondent directing eviction of the petitioners shall not be enforced and shall be subject to the orders that would be passed by the 2nd respondent.

Accordingly, the writ petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 06-11-2015

Prv

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Prv