

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.39199 OF 2015

ORDER:

Heard.

The petitioner complains that the 2nd respondent is interfering with regard to the land admeasuring 220 sq. yards in Sy.No.132 situated at Peddapadu Village, Kallur Mandal, Kurnool District, where a building is sought to be constructed by the petitioner as per permission. The petitioner states that the proceedings under Section 145 Cr.P.C. were initiated by the 2nd respondent in the capacity as Mandal Executive Magistrate in M.C.No.4/15, dated 30-01-2015, wherein prohibitory orders were passed directing the petitioner and the other party not to enter into the disputed land in Sy.No.132, pending further orders.

It is evident from the record that the proceedings under Section 145 Cr.P.C. are pending from 30-01-2015 and though the said proceedings are stated to be served on both the parties, no further hearing has taken place and the said proceeding is still remains pending undisposed.

Since the invocation of Section 145 Cr.P.C. proceedings and the orders passed therein are of temporary in nature, for a limited period, it is appropriate to direct the 2nd respondent to issue notice of date of hearing to both the parties and hear and pass appropriate final orders in the said M.C.No.54/15 expeditiously, in any case within four weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs

Miscellaneous petitions, if any, pending shall stand closed.

VILAS V.AFZULPURKAR, J

Date:15-12-2015

Prv

W.P.No.39199 OF 2015

15.12.2015

Prv