

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

WRIT APPEAL No. 515 of 2015

Dt:23.06.2015

Between:

M/s.Vijayawada Telephone Employees
Housing Welfare Association.

... Appellant

And

M/s.Markandeya Charitable & Educational Trust
and others.

... Respondents

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

WRIT APPEAL No. 515 of 2015

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

Heard learned counsel for the parties.

This writ appeal is against the order, dated 08.04.2015, whereby the first respondent's writ petition has been partly allowed and disposed of. The concluding paragraphs of the order, dated 08.04.2015, read thus:

“Considering the facts and circumstances of the case, even after knowing the earlier rejection of allotment of land and pendency of the writ petition before this Court, the first respondent has not chosen to dispose of the representation, dated 13.01.2012, and as such, the writ petition is disposed of in the following manner.

The first respondent is hereby directed to consider the representation, dated 13.01.2012, of the petitioner Trust and pass appropriate orders within a period of two months from the date of receipt of a copy of this order. The learned counsel for the respondent is also informed that if they intend to make any objection for consideration of the representation of the petitioner by the concerned authorities, they are at liberty to communicate this order along with relevant materials, on which the respondent's counsel relies, to the concerned authorities and that the first respondent is directed to consider the same and pass final orders in accordance with law. Till disposal of the representation by the first respondent, the order of status quo shall continue.”

We have heard learned counsel for the parties for some time and in the course of hearing, made certain suggestions, to which they have agreed and hence, we propose to dispose of this appeal by this order. Learned counsel for the parties have fairly stated that we need not record reasons for disposing of the appeal by the following order:

“The order (dated 08.04.2015), whereby direction is issued to consider the first respondent’s representation, dated 13.01.2012, is set aside and the order, dated 12.02.2008, passed by the Special Chief Secretary to the Government is confirmed. The appellant and the first respondent are allowed to make representations to the concerned authority for allotment of land which is the subject matter of these proceedings, within a period of two weeks from today. On such representations being made by the appellant, and the first respondent, the second respondent (Government of Andhra Pradesh) shall consider their representations on merits in accordance with law and in the light of the relevant Government Orders, as expeditiously as possible and preferably within 12 weeks from the date of making of the representations. Till the representations are finally decided, the first respondent is directed to maintain status quo insofar as the land in question is concerned.

Learned counsel appearing for the first respondent, on instructions, makes a statement that if their representation seeking allotment of the said land is not allowed, they shall not claim any right what-so-ever in the said land and they shall handover possession thereof either to the allottee of the land or to the Government subject to their right to challenge the said order in proper proceedings. His submission is recorded and accepted. Till the representations are

decided, the first respondent or any other person, who claims to be in possession, is directed not to make any development in the land in question.”

With these observations, the writ appeal is disposed of.

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

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

Dt:23.06.2015

kdl