

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.40403 OF 2015

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ORDER :

Heard.

The petitioner claims to be the purchaser from the persons declared as entitled to be protected tenants particularly with regard to the land in Sy.No.53 of Gachibowli Village, Ranga Reddy District. The petitioner claims to have purchased the land admeasuring Ac.1-20 gts., out of the said protected tenancy land.

It appears that against the findings of the 3rd respondent in Case No.G/2690/2013, dated 15-10-2013, Tenancy Appeal No.F2/5409/2013 is stated to be pending before the 2nd respondent. The petitioner states that he was not impleaded as a party either before the 3rd respondent or the 2nd respondent. Hence, to protect his interest, he stated that he made an attempt to file an implead petition before the 2nd respondent but the same was not received. Hence, the present writ petition is filed questioning entertainment of the said appeal by the 2nd respondent as violative of the principles of natural justice.

It is evident from the above that the petitioner has not filed any application for impleading himself in the appeal before the 2nd respondent and mere oral assertion cannot be taken note of. Even if the said appeal is pending and if the petitioner considers that he is a necessary and proper party, it is for him to make appropriate application for impleadment. If such an application is made, the 2nd respondent would examine the same on its own merits and take appropriate decision in accordance with law. However, till then, the petitioner cannot seek any orders relating to the said Tenancy Appeal before the 2nd respondent.

Hence, with the liberty to the petitioner to make appropriate application before the 2nd respondent, the writ petition is disposed of. No costs

Miscellaneous petitions, if any, pending shall stand closed.

VILAS V.AFZULPURKAR, J

Date:14-12-2015

Prv

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