

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.34376 of 2016

ORDER:

Heard Mr.P.R.Prasad, learned counsel for petitioner, learned Government Pleader for Revenue appearing for respondent Nos.1, 2 and 4, learned Government Pleader for Roads and Buildings appearing for respondent No.3 and Mr.Ravi Chimalapati, learned Standing Counsel for respondent No.5.

The petitioner challenges notice in RC.No.552/2016/A, dated 15.09.2016, issued by respondent No.4.

The Assistant Government Pleader appearing for respondent No.4 submits that keeping in view the location of the petitioner's Tea Stall and also objectionable occupation, notice is given treating the land in occupation of petitioner as Government Land. If explanation is given, respondent No.4 will consider the explanation, take decision and communicate the same to petitioner.

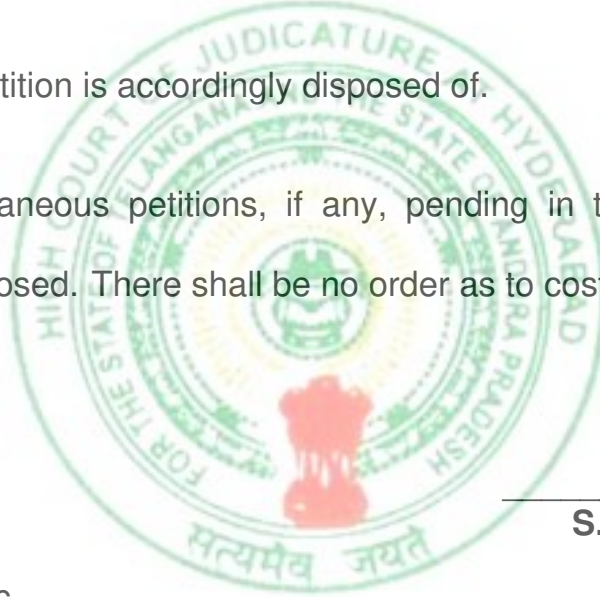
The petitioner challenges the notice not on the ground of lack of jurisdiction but on facts. Therefore, the legality of notice is not examined at present. However, further time is given to petitioner to submit explanation. This Court is not inclined to exercise its jurisdiction in the challenge made against the notice issued by respondent No.4. To meet the ends of justice and to allay the fears

of the petitioner, I am satisfied, the writ petition can be disposed of by this order:

- (a) petitioner is given two more weeks from today to submit explanation to the notice, dated 15.09.2016;
- (b) respondent No.4 is directed to consider the explanation, take a decision and communicate the same to petitioner within four weeks thereafter; and
- (c) the parties are directed to maintain *status quo* for a period of six weeks from today.

Writ petition is accordingly disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.



S.V.BHATT,J

Dt:06.10.2016

kdl/vv

