

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE P. NAVEEN RAO

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Writ Appeal No.247 of 2016
And
Writ Petition No. 385 of 2016

Date:06.04.2016

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W.A. No. 247 of 2016

Between:

The State of Telangana,
Represented by its Principal Secretary,
Revenue Department,
Hyderabad and others.

.....Appellants

And

Mir Afsar Ali,
Habeebnagar,
Hyderabad and others.

... Respondents

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE P. NAVEEN RAO

Writ Appeal No.247 of 2016
And
Writ Petition No. 385 of 2016

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

The writ appeal is directed against the order dated 22.3.2016 passed by learned Single Judge in W.P.M.P. No. 482 of 2016 in Writ Petition No. 385 of 2016, whereby, interim direction as prayed by the respondents-writ petitioners has been granted for a period of four weeks. The order impugned in the instant writ appeal reads thus:

“Since the impugned order is bereft of reasons and is very cryptic, there shall be interim direction as prayed for, for a period of four (4) weeks.
Post this matter after two (2) weeks.”

Learned Advocate General for the State of Telangana, at the outset, submits that he has instructions to make a statement that the 1st appellant shall record reasons in support of the order, impugned in the writ petition within a period of eight weeks from today. His statement is recorded and accepted.

Mr. K.S. Murthy, learned counsel for the respondents, in view of the statement made by learned Advocate General, submits that the writ petition may be disposed of with liberty to the respondents-writ petitioners to challenge the order afresh after the reasons are recorded by appellant No.1, as aforementioned, within time frame.

In the circumstances, we dispose of the writ appeal as well as the writ petition by the following order:

“1. It is open to the 1st appellant to record reasons for disposing of the representation/application made by the respondents-writ petitioners seeking regularization of the land to the extent of 5.00 acres at Shaikpet Mandal, Hyderabad District, which is the subject matter of the petition, within a period of eight weeks from today. It is needless to mention that the 1st appellant shall communicate the reasons for making the order impugned in the writ petition, to the respondents-writ petitioners within a period of two weeks from the date of recording the reasons. All contentions of the parties are kept open. It is also open to the respondents-writ petitioners to challenge the order/reasons recorded by the 1st appellant afresh, if they so desire and advised.

2. In the meanwhile, it is open to the appellants to proceed with construction at the disputed site. It is made clear that the construction will be subject to rights of the respondents-writ petitioners, if any, in the said property.”

In view of the statements of learned counsel for the parties, the writ appeal and the writ petition stand disposed of.

Consequently, pending miscellaneous applications shall also stand closed.

DILIP B. BHOSALE, ACJ

P. NAVEEN RAO, J

6th April, 2016

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