

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.42966 of 2015

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ORDER:

The grievance of the petitioner was that though she filed an appeal on 07.12.2015 against the order dated 28.04.2011 passed by the Agency Divisional Officer, Kothagudem, Khammam District, in LTR Case No.102/07/CHG, no orders have been passed by the appellate authority either in the stay petition or in the main appeal itself but, in the meanwhile, the subordinate authorities were seeking to dispossess her from the subject land pursuant to the order under appeal.

This Court has time and again stressed that statutory authorities are required to pass orders in discharge of their quasi-judicial functions with dispatch and expedition so that rights of the parties are not adversely affected by delay. Though the order under appeal is dated 28.04.2011, it is the claim of the petitioner/appellant that it was served upon her only in August, 2015. In any event, it is for the appellate authority, the Project Officer (ITDA), Bhadrachalam, Khammam District, to apply its mind and take an appropriate decision in the matter. When the appellate authority is yet to take a decision in the appeal pending before it, it is wholly unnecessary for this Court to entertain this writ petition and adjudicate the same on merits.

The writ petition is accordingly disposed of directing the Project Officer (ITDA), Bhadrachalam, Khammam District, the appellate authority, to consider the petitioner's appeal or the stay application filed therein, as the case may be, and pass appropriate reasoned orders thereon in accordance with law. This exercise shall be completed expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order. Pending this exercise, the order under appeal dated 28.04.2011 passed in LTR Case No.102/07/CHG shall not be given effect to, if not already acted upon.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

4th January, 2016

Note:-

Issue CC in four days.

B/o

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