

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.40717 OF 2016

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking to declare the inaction of the 3rd respondent in considering the stay application filed by the petitioner on 08.11.2016 along with appeal, as illegal and arbitrary.

Heard the learned counsel for the petitioner as well as the learned Assistant Government Pleader for Revenue for respondents. With their consent, the writ petition is disposed of at the stage of admission itself. There is no necessity to put respondent No.5 on notice since this Court is not venturing to adjudicate the case on merits.

The limited grievance of the petitioner in this writ petition is that though he made an application on 08.11.2016 seeking stay of the order of the 4th respondent dated 23.09.2016 vide Rc.No.B/447/16, in the appeal filed on 01.10.2016, till date no orders are passed thereon.

Learned AGP would submit that the 3rd respondent may be directed to dispose of the stay application, in accordance with law.

Having regard to the rival submissions made, the Writ Petition is disposed of directing the 3rd respondent-The Sub-Collector (RDO) to dispose of the stay application filed by the petitioner on 08.11.2016 in the appeal filed on 01.10.2016, in

accordance with law, after hearing the petitioner and other aggrieved persons, if any including the 5th respondent herein, as early as possible, preferably within a period of six weeks from the date of receipt of a copy of this order. *Status quo* as on today shall be maintained with regard to subject property, till then.

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

C. PRAVEEN KUMAR, J

Date: 24.11.2016
sur

