

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.15813 OF 2016

ORDER:

The writ petition is filed questioning the action of the 2nd respondent-Joint Collector in not passing any orders on the stay petition filed along with the appeal dated 23.04.2016 filed by the petitioner challenging the proceedings dated 18.04.2016 issued by the 3rd respondent-R.D.O.

The principal contention raised by the learned counsel for the petitioner in the writ affidavit is that the proceedings dated 18.04.2016 were issued without conducting the enquiry properly and without following the procedure as contemplated under the Control Orders. Questioning the same, the petitioner filed an appeal dated 23.04.2016 along with stay petition and they are pending before the 2nd respondent-Joint Collector. It is further stated that the 2nd respondent-Joint Collector neither disposed of the stay petition nor taking up the main appeal for hearing. Hence, the present writ petition.

Learned Government Pleader for Civil Supplies opposes to entertain the writ petition on the ground that the petitioner had already invoked the above provision and filed an appeal before the 2nd respondent-Joint Collector. Learned Government Pleader further submits that the appellate authority may be directed to dispose of the appeal dated 23.04.2016 filed by the petitioner.

Having considered the respective submissions and especially in view of the fact that the appeal dated 23.04.2016 along with the stay petition filed by the petitioner is pending before the 2nd respondent-Joint Collector, it is for the 2nd respondent-Joint Collector to dispose of the same within a period of four weeks from the date of receipt of copy of the order.

Accordingly, the writ petition is disposed of directing the 2nd respondent-Joint Collector to dispose of the appeal dated 23.04.2016 filed by the petitioner within a period of four weeks from the date of receipt of copy of this order. However, till the disposal of appeal or stay application filed by the petitioner, there shall be interim stay of the proceedings dated 18.04.2016 issued by the 3rd respondent-R.D.O. No order as to costs.

Consequently, Miscellaneous Petitions pending, if any, in this writ

petition shall stand closed.

CHALLA KODANDA RAM,J

Date:29.04.2016.

Note:

Issue CC forthwith.

B/o.

Gk

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

—

—

1

1

WRIT PETITION No.15813 OF 2016

—

—

1

Date:29.04.2016

Gk

