

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

CMA.No.735 of 2012

JUDGMENT:

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This appeal is filed aggrieved by the order,
dated 08-05-2007 in O.A.No.69 of 2005 on the file of Deputy
Commissioner, Endowments Department, Kakinada.

Heard learned counsel for the appellant and learned counsel
for the respondent.

Learned counsel for the respondent raised an objection
stating that the appeal is not maintainable, because the appellant
has remedy under Rule 11(2) of the Andhra Pradesh Charitable
And Hindu Religious Institutions And Endowments Tribunal Rules
(Tribunal Rules) by filing petition to set aside the exparte order and
the same is not disputed by the learned counsel for the appellant.

In view of the above, the appeal is dismissed. But, however
it is open for the appellant to avail remedy available under Rule
11(2) of the Tribunal Rules within a period of four weeks from
today and on such application, the Tribunal shall dispose of the
same within a period of two months as per law. If the appellant
fails to file application, it is open for the respondent to proceed
further in the matter.

As a sequel to the disposal of this appeal, miscellaneous
petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

20-01-2016
nvl

