

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.17255 of 2016

ORDER:

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This writ petition is filed against the order dated 27-05-2016 passed by the office of Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad rejecting the appeal filed by the petitioner on the ground that original copy of the order dated 14-07-2015 passed by the District Collector, Visakhapatnam was not filed and last sentence of the order goes to show that appeal is returned.

It is the case of the petitioner that several appeals were filed and original order dated 14-07-2015 passed by the District Collector was filed in Appeal vide Ref.No.BCW3/198/2015 and in the present case, dispense with application also filed stating that original order is filed in the above appeal. But without considering the same, the present appeal is rejected.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue.

Since it is stated that dispense with application is filed to dispense with filing of original order dated 14-07-2015, as original order is filed in one of the appeals against common order, the Appellate authority should have considered the said application and heard the appeal on merits.

In view of above facts and circumstances, the impugned order is set aside. The 2nd respondent-Appellate authority is directed to consider the dispense with application filed by the petitioner and hear and dispose of the appeal, in accordance with law, within a period of six months from the date of receipt of copy of the order.

As a sequel thereto, miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

A.RAJASHEKER REDDY,J

06-06-2016
Nvl