

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.39844 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 2nd respondent in considering the stay application filed by the petitioner along with Appeal No.3 of 2016, 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.

The limited grievance of the petitioner in this writ petition is that though he made an application in the month of October, 2016, seeking stay of the order of the 3rd respondent dated 04.10.2016 along with Appeal No.3 of 2016, till date no orders are passed thereon and the respondents are trying to dispossess him.

Learned AGP would submit that the 2nd 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 2nd respondent-Revenue Divisional Officer to dispose of the stay application filed by the petitioner along with Appeal No.3 of 2016 on or before 06.12.2016, in accordance with law, after hearing the petitioner and other aggrieved persons, if any. Till then, the petitioner shall not be dispossessed without following due process of law.

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

C. PRAVEEN KUMAR, J

Date: 18.11.2016
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