

HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No. 3146 of 2016

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ORDER:

The order of cancellation of assignment of petitioners passed by the Revenue Divisional Officer, Narasaraopet, 2nd respondent herein, is questioned in this writ petition, primarily on the ground that the Revenue Divisional Officer is not the appellate authority and does not have jurisdiction to pass the order of cancellation. The learned counsel for the petitioners also contends that report of the Tahsildar, Nekarikallu Mandal, 3rd respondent herein, is not furnished.

As seen from the impugned order, it is passed after notice to the petitioners and the petitioners are not eligible for assignment, as they got substantial extent of land and, on that finding, the assignment was cancelled under the Board Standing Order 15 Clause 18. The order itself states that appeal lies to the Collector within 30 days. Since the impugned order is passed only on 23.01.2016, the petitioners have ample time to prefer an appeal. Hence, bypassing the remedy of appeal, I am not inclined to consider the petitioners' request.

Hence, giving liberty to the petitioners to approach the appellate authority, the Writ Petition is disposed of. In order to enable the petitioners to avail the opportunity, the impugned order shall remain stayed for two (2) weeks, within which time, the petitioners may obtain appropriate orders from the appellate authority. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand dismissed.

VILAS V. AFZULPURKAR, J

4th February, 2016

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