

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CIVIL REVISION PETITION No.3342 of 2015

ORDER:

The petitioner is appellant in C.M.A.No.78 of 2014 on the file of the Additional Agent to Government, Bhadrachalam. The 6th respondent herein filed L.T.R. Case No.96/2013/KGM before the Special Deputy Collector (TW), Bhadrachalam seeking eviction of the petitioner from the land of an extent of Ac.0-20 gts., in Sy.No.264/1/265/Ga/1 in Hemachandrapram village of Kothagudem mandal, Khammam District.

An order of ejectment was passed in favour of the 6th respondent on 04-03-2014. Challenging the said order of ejectment the petitioner preferred C.M.A.No.78 of 2014 before the Additional Agent to Government, Bhadrachalam. It appears from the record produced before this Court that the said appeal was posted for counter of the respondents and the lower Court record was awaited as on 07-02-2015. But a perusal of the impugned order shows that on 07-02-2015 itself the appeal was dismissed. Challenging the said order the present Civil Revision Petition is filed.

Learned counsel for the petitioner submits that he had no notice of disposal of the case as the case was posted for counter of the respondents and for records of the lower Court as could be seen from the daily cause list of the Court, dated 07-02-2015.

Learned counsel for the respondents submits that he already filed counter in the case but he could not indicate the date on which the counter is filed.

In the circumstances, it is evident that the Additional Agent to Government, Bhadrachalam passed the orders without hearing the parties.

In the circumstances, the impugned order, dated 07-02-2015 passed in C.M.A.No.78 of 2014 is set aside and the matter is remanded to the Additional Agent to Government, Bhadrachalam for passing appropriate orders, in accordance with law, after hearing the counsel for both sides. The final orders shall be passed on or before 31-03-2016.

The Civil Revision Petition is accordingly allowed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in the Civil Revision Petition shall stand closed.

A. RAMALINGESWARA RAO, J

February 04, 2016

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THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

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