

HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No. 13377 OF 2012

ORDER:

The petitioner challenges show cause notice, dated 06.11.2011, issued by the 1st respondent in Form-2 under the provisions of the A.P. Assigned Lands (Prohibition of Transfer) Act, 9 of 1997, as illegal, arbitrary and without jurisdiction.

On 03.05.2012, the following order was passed:

“It is open for the petitioner to file explanation to the impugned notice. Meanwhile, there shall be stay of dispossession.”

The respondents filed petition to vacate the interim order, dated 03.05.2012.

The counsel appearing for the parties submit that on 05.04.2012, the 1st respondent passed the order of resumption. According to petitioner, the copy of resumption order was served on the petitioner about a few days back and therefore the petitioner requests the Court to avail the remedy of appeal against the order of resumption.

Counsel appearing for the respondents do not object to the course suggested by Mr. V.V.N. Narayana Rao. I am satisfied that the writ petition can be disposed of by this order:

Petitioner is given liberty to file appeal against resumption order before the Revenue Divisional Officer within four weeks from the date of receipt of copy of this order. If the appeal is filed, as permitted by this Court, the appellate authority shall hear and dispose of the same within six months from the date of presentation of appeal by the petitioner without reference to the alleged delay from 05.04.2012 till date, for the delay is not reckoned for the copy of the order of resumption was served on the counsel for the petitioner a few days back.

The parties are directed to maintain status quo as on today till the disposal of the appeal before the appellate authority.

The writ petition is disposed of as indicated above. No order as to costs.

Miscellaneous petitions, if any, shall also stand disposed of.

S.V. BHATT, J

Date: 11.08.2016
ES