

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 10831 of 2016

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ORDER:

Questioning the order passed by the District Panchayat Officer, dated 28.08.2015, third respondent, withdrawing the cheque power, the present writ petition is filed.

2. In the facts and circumstances of the present case and considering the fact that the petitioner has already invoked the appellate jurisdiction of the second respondent, interest of justice would be served if a direction is issued to the second respondent to pass orders on the appeal said to have been filed by the petitioner through registered post on 26.09.2015. It is needless to mention that this Court in a judgment reported in ***Somagani Venkata Subbamma v. District Panchayat Officer***^[1], deprecated the practice of withdrawing the cheque power indefinitely. However, as the appeal is already pending before the second respondent, this Court is not inclined to exercise its discretionary jurisdiction.

3. The Writ Petition is accordingly disposed of directing the second respondent to pass appropriate orders on the appeal said to have been filed by the petitioner within three weeks from the date of receipt of a copy of this order after giving opportunity to the petitioners.

Pending miscellaneous petitions, if any, shall also stand closed in the light of this final order. No order as to costs.

CHALLA KODANDA RAM, J

April 12, 2016
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12.04.2016

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