

**HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR**

**W.P.No.5712 of 2016**

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**ORDER:**

Heard.

The resumption order passed by the 4<sup>th</sup> respondent under Ex.P-1, dated 24-10-2014 is questioned by the petitioner in this writ petition. Admittedly, the said order is passed against the vendor of the petitioner after notice to respondents 5 and 6. The petitioner has purchased the shops in question from the 6<sup>th</sup> respondent under registered sale deed, dated 27-10-2015 and seeks to question the said impugned order.

It is not in dispute that as against the said order, an appeal is provided under the provisions of the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977, and any person aggrieved is entitled to file an appeal. Even if the petitioner is not a party and he is a subsequent purchaser, he can as well avail appellate remedy available under the aforesaid Act. Since the petitioner claims to be unaware of passing of the impugned order, he seeks two weeks time to approach the appellate authority to file an appeal and seek appropriate orders whether interim or final.

I am therefore not inclined to entertain the writ petition overlooking the remedy available to the petitioner.

The writ petition is, therefore, disposed of permitting the petitioner to prefer an appeal before the competent authority within two weeks from today and if such an appeal is filed, the same shall be entertained without raising question as to limitation and shall be dealt with and disposed of by the appellate authority. It is made clear that the appellate authority is also at liberty to pass appropriate interim or final orders in accordance with law as it deems fit. No order as to costs.

The miscellaneous petitions, if any, pending in this writ petition shall stand closed.

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**VILAS V.AFZULPURKAR, J**

Date: 23-02-2016

Prv

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