

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.3736 OF 2016

ORDER:

Heard.

The petitioner suffered against the order of eviction dated 26.02.2014 passed by the 4th respondent under Section 6 of the A.P. Land Encroachment Act, 1905 (for short 'the Act') the petitioner had approached this Court in W.P.No.10452 of 2014. However, that writ petition was disposed of directing the petitioner to avail appeal remedy by order dated 04.04.2014. W.A.No.686 of 2014 filed against the said order was disposed of on 23.04.2014 permitting the petitioner herein to approach the appellate authority as provided under statute. Accordingly, the petitioner filed an appeal before the Revenue Divisional Officer and the same was dismissed by order dated 14.09.2015. Against that order, the petitioner filed a revision before the 1st respondent. However, the same was rejected on the ground that it is not admissible as per the provisions of the Act vide orders dated 23.11.2015. Thereafter, the petitioner has filed a revision before the 2nd respondent - District Collector on 30.01.2015 along with an application for stay. The present writ petition is filed alleging that neither the revision nor stay application is disposed of and in the meanwhile, there is a threat of eviction.

Learned Government Pleader for Revenue, however, submits on instructions that the order of eviction has already been executed on 11.01.2016 under panchanama and possession was already taken.

In view of the above statement, the writ petition is disposed of directing the 2nd respondent-District Collector to dispose of the revision petition or at least stay petition as expeditiously as

possible preferably within a period of two weeks from the date of receipt of a copy of this order after giving notice to both parties.
There shall be no order as to costs.

Miscellaneous petitions, if any, pending in the writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

08.02.2016
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