

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 39827 of 2016

ORDER:

- 1) Heard learned counsel for the petitioner and Government Pleader for Revenue. With consent of both the parties, the writ petition being heard at the admission stage itself. There is no necessity to put the unofficial respondent on notice as this Court is not venturing to adjudicate the issue on merits.
- 2) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the third respondent in not deciding the stay application filed by the petitioner on 10.11.2016 along with appeal against the order dated 07.11.2016 in Ref/ B/ 1941/ 2016 as arbitrary, illegal and contrary to law.
- 3) The grievance of the petitioner is that though an appeal was filed on 10.11.2016 till date no orders passed either in the appeal or in the stay application filed along with the appeal.
- 4) The Government Pleader for Revenue would submit that a direction may be issued for early disposal of the stay application.
- 5) Without going into the merits of the case and having regard to the submissions made, the present writ petition is disposed of, directing the third respondent to pass orders on the stay application which was filed along with the appeal, in accordance with law, as expeditiously as possible, preferably, within a period of four (04) weeks from today, if the same is in order. Till such

time *status quo* obtaining as on today shall be maintained in all respects. There shall be no order as to costs.

6) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

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JUSTICE C. PRAVEEN KUMAR

17.11.2016

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