

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.7821 of 2016

ORDER:

Heard Sri B. Vijayasen Reddy, learned counsel for the petitioner, learned Assistant Government Pleader appearing for the State and

Sri T. Sujan Kumar Reddy, learned counsel on caveat for the fourth respondent.

The grievance of the petitioner in this case is that the appellate authority is not passing orders upon his stay application filed along with the appeal preferred against the order dated 15.02.2016 passed by the District Collector, Nizamabad, whereby the petitioner's caste certificate dated 05.11.2000 was cancelled.

As the statute itself provides the appellate remedy to the petitioner against the order dated 15.02.2016 passed by the District Collector, Nizamabad, canceling his caste certificate, it cannot be rendered a futility by giving effect to the order under appeal during the processing thereof.

It is now stated by the learned Assistant Government Pleader that the appeal has been numbered as Appeal No.581 of 2016 and that steps are being taken for the hearing of the stay application.

Sri T. Sujan Kumar Reddy, learned counsel on caveat for the fourth respondent, who was the complainant at whose behest the petitioner's caste certificate was cancelled, would state that his client also filed a caveat petition before the appellate authority.

As this Court does not propose to go into the merits of the matter and no issue is being decided presently, it is not necessary to invite counter-affidavits or keep the matter pending.

The writ petition is therefore disposed of directing the appellate authority, the first respondent, to take up the stay application filed by the petitioner in the appeal for hearing and pass appropriate orders thereon expeditiously after hearing all the parties concerned. In the

meanwhile, the order under appeal shall not be given effect to. It is made clear that all issues are left open.

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

JUSTICE SANJAY KUMAR

10th March, 2016

PGS