

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.2726 OF 2016

ORDER:

The grievance of the petitioner in the present writ petition is that the 1st respondent is not taking up Revision Petition No.8144/JA(1)/2006-2 and the stay petition filed by him. The revision petition was remanded for fresh consideration as per the orders of this Court in W.P.No.24206 of 2007, dated 16-07-2012. The petitioner states that since the revision petition is still pending with the 1st respondent, on 11-01-2016 he filed a stay petition seeking suspension of the resolution of the 6th respondent therein and consequential proceedings of the 1st respondent therein, dated 11-12-2015, proposing to conduct auction of fish tank. The petitioner states that even the said stay petition is not being considered.

Heard the learned Government Pleader for Revenue and Sri G.Seshadri, learned Standing counsel for respondents 6 and 7.

Though the learned counsel for the petitioner relied upon the directions issued by this Court in W.P.No.681 of 2016, dated 07-01-2016, it is noticed that the 1st respondent herein was not a party to the said writ petition. Hence, the said directions would not come to the rescue of the petitioner. However, since the revision petition is pending with the 1st respondent, which relates to an old file, which was remanded for fresh consideration by this Court, it is appropriate to direct the 1st respondent to fix an early date of hearing after notice to all the parties and hear and dispose of the revision petition along with the stay petition filed by the petitioner expeditiously.

Learned Standing Counsel for the 5th respondent states that since the auction was already conducted, the stay petition has become

infructuous.

However, it is for the 1st respondent to appropriately consider the same in the revision petition, as directed above. Since the auction is stated to have been conducted on 28-01-2016, the same shall be subject to further orders that would be passed by the 1st respondent in the revision petition.

Accordingly, the writ petition is disposed of. No costs.

Miscellaneous Petitions, if any, pending shall stand closed.

VILAS V.AFZULPURKAR, J

08.02.2016

Prv

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