

HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No. 4010 of 2016

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ORDER:

Heard learned counsel for the petitioner and the Government Pleader for Revenue appearing for the respondents.

Case of the petitioner is that the Tahsildar, Adilabad, 4th respondent herein, has passed the impugned order, dated 25.11.2015, resuming the assigned land of the petitioner along with others situated at Anukunta Village of Adilabad Mandal, Adilabad District. The said order was preceded by a show cause notice which was replied by the petitioner and others. But, without adverting to the reply given by her, the impugned order was passed holding that the assignees never cultivated the lands since the assignment and kept them fallow; that the assigned lands are put to non-agricultural purposes for making bricks instead of cultivation and that the assignees have leased out the assigned lands to others by selling gravel/mud. It is submitted by the petitioner that the land has been assigned more than four decades back and she has been continuously cultivating the land and the same is reflected in the pahanies and that the impugned order suffers from arbitrariness.

The issue involved in this Writ Petition is squarely covered by the decision of this Court in W.P.No.3333 of 2016 and batch, dated 05.02.2016, and the operative portion reads as follows:

"The lands in question have been resumed and presently, they are under the Government custody. In these circumstances, it is appropriate to direct that the appeals filed by the petitioners are to be heard and disposed of by the Revenue Divisional Officer, Adilabad, in accordance with law by way of a reasoned order, after giving an opportunity to the petitioners. Pending consideration of the said

appeals, status quo existing as on today with regard to the lands in question shall be maintained.

Accordingly, all the Writ Petitions are disposed of.”

In view of the same, there shall be similar direction in this writ petition also.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Consequently, miscellaneous petitions pending, if any, in the Writ Petition shall stand dismissed.

VILAS V. AFZULPURKAR, J

9th February, 2016

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