

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.39336 OF 2016

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking to declare the inaction of the 2nd respondent in granting interim relief, pending disposal of the revision preferred against the order dated 12.07.2016 passed by the 3rd respondent in S.R.No.11(Pro)1/2015/F2 (Rc.No.7780/1995/F2), as illegal and arbitrary.

Heard the learned counsel for the petitioner as well as the learned Assistant Government Pleader for Revenue for respondents. With their consent, the writ petition is disposed of at the stage of admission itself.

The limited grievance of the petitioners in this writ petition is that they filed a revision before the 2nd respondent on 19.09.2016 questioning the order passed by the 3rd respondent on 12.07.2016 in S.R.No.11(Pro)1/2015/F2 (Rc.No.7780/1995/F2), however, till date the revision is not even numbered and stay application is not considered. Said inaction is the subject matter of challenge in this writ petition.

Learned AGP would submit that the 2nd respondent may be directed to dispose of the stay application, if it is in order, in accordance with law.

Having regard to the rival submissions made, the Writ Petition is disposed of directing the 2nd respondent-The Chief

Commissioner of Land Administration, to number the revision said to have been filed by the petitioners on 19.09.2016 as well as the interlocutory application filed therein, if they are in order, and dispose of the stay application, in accordance with law, after hearing the petitioner, as early as possible, preferably within a period of three weeks from the date of receipt of a copy of this order. *Status Quo* as on today shall be maintained for a period of three weeks. It is made clear that the revisional authority shall consider the stay application filed by the petitioners on its own merits being uninfluenced by any observations made herein by this Court including the order of *status quo*.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. No order as to costs.

Date: 21.11.2016

Note : Issue C.C. in a week.
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C. PRAVEEN KUMAR, J