

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.2519 OF 2016

ORDER:

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

This Writ Petition is filed against the order of resumption dated 20.05.2010 of the Tahsildar, Balayapalli Mandal, SPSR Nellore District, the 4th respondent. Apart from the question of delay, the impugned order is clearly appealable.

Learned counsel for the petitioner states that there is no substitute service as stated in the impugned order and no copy of the same is served on her nor on the original assignee and as soon as she came to know about the said order, she questioned the same.

Even if what is stated by the petitioner is correct, she has to approach the appellate authority by mentioning the very same reasons and explanation and it is for the appellate authority to consider the same and if satisfied, the appeal can be disposed of. In view of lapse of time of more than five years and in view of the appropriate remedy available to the petitioner, the Writ Petition cannot be entertained.

The Writ Petition is accordingly disposed of giving liberty to the petitioner to approach the appellate authority and seek appropriate orders from it. *Status quo* with regard to the land in question shall be maintained for a period of two weeks within which time the petitioner shall obtain appropriate further orders from the appellate authority. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

29.01.2016

Note:- Issue C.C. in three days.

(B/o)

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