

HON'BLE SRI JUSTICE S. V. BHATT

Writ Petition No.21350 of 2017

ORDER:

The issue arises under the A.P. Assigned Lands (Prohibition of Transfers) Act, 1977.

2. The sons of assignee i.e., Mala Naganna, are the petitioners herein. The 3rd respondent by referring to the deed dated 02.06.1987 said to have been executed by father of petitioners in favour of Sri Dhana Reddy, has passed orders of resumption. According to petitioners, the Notices in Form No.I & II were issued on 03.04.2017 and 26.04.2017. The order impugned in the writ petition has been passed by referring to the dates, which have happened in close proximity. They contend that the order is prejudicial, more particularly, when the petitioners are resisting the claim of Dhana Reddy in OS No.85 of 2015 on the file of the Junior Civil Judge, Alampur. The petitioners rely upon the pattadar passbooks, title deeds, which have been issued in yesteryears to contend that the transaction on which 3rd respondent has relied upon, in fact, did not take place. The petitioners filed appeal before the 2nd respondent on 27.05.2017. The other grievance is that the 2nd respondent has not afforded opportunity on the stay application or a date is given for hearing of the appeal.

3. After perusing the material available on record and taking note of submissions of the learned counsel for petitioners and the Assistant Government Pleader, the writ petition is disposed of by this order.

- i) The 2nd respondent is directed to consider and pass orders on the stay application moved by the petitioners in the appeal filed on 27.05.2017 within eight (8) weeks from the date of receipt of a copy of this order and also

consider disposal of the appeal within six (6) weeks thereafter,

- ii) The parties are directed to maintain *status-quo* of entries and resumption of land, for a period of eight (8) weeks from today.

No order as to costs. Pending miscellaneous petitions if any in this writ petition shall stand dismissed in consequence.

Date: 30.06.2017
BSS

S.V.BHATT, J



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