

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.17735 of 2017

ORDER:

Heard Sri J.Narendar, learned counsel for petitioner and the learned Assistant Government Pleader (Revenue).

The petitioner challenges memo No.B/834/2017, dated 29.05.2017, as illegal and violative of principles of natural justice.

Counsel appearing for respondent Nos.1 to 4 opposes the writ petition primarily on the ground that under WALTA Act the petitioner has remedy of appeal and the jurisdiction of this Court under Article 226 of the Constitution of India cannot be converted as appellate jurisdiction and further no valid ground is stated for invoking the extra ordinary jurisdiction under Section 226 of the Constitution of India.

After perusing the material, this Court is in agreement with the objections taken by the Assistant Government Pleader.

Therefore, the writ petition is disposed of by this order. The petitioner is given liberty to avail the remedy of appeal and also to file a petition for grant of interim order by enclosing the copy of this order within one week from today. The Appellate Authority is directed to consider and pass orders as it deems fit and proper on the application filed by

the petitioner for grant of interim orders within one week thereafter.

Having regard to the assertion that standing crop is available in Survey Nos.592/AA and 593 of Puligilla Village, the Assistant Government Pleader submits that there can be stay of impugned memo for a period of two weeks. Hence, the memo is suspended for a period of two weeks from today. There shall be no order as to costs.

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

5th June, 2017.

Note:

Issue C.C. today.

(B/o)
ssp



S.V. BHATT, J