

**HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**WRIT PETITION No.10845 OF 2007**

**ORDER:**

This Writ Petition, under Article 226 of the Constitution of India, is preferred by the petitioners seeking to declare Proceedings No.B/9357/2006 dated 30.11.2006 issued by the 2<sup>nd</sup> respondent as illegal and arbitrary.

The affidavit filed in support of the writ petition would show that the petitioners, who are the ex-servicemen, were assigned land admeasuring Acs.4.00 each in survey No.560/16 and 560/17 situated at Mamidipally Village, Sanga Reddy Mandal, Medak District, in the year 1976 and patta certificates were issued in their favour on 24.07.1971. Subsequently, the lands allotted to the petitioners were resumed by way of an order dated 30.11.2006 since the petitioners have violated the conditions of the patta. Said order is the subject matter of challenge in this writ petition.

Learned Government Pleader for Assignment filed counter affidavit along with WVMP No.1161 of 2013 stating that aggrieved by the order dated 30.11.2006, the petitioners preferred an appeal before the Revenue Divisional Officer, Sanga Reddy, on 20.01.2007 vide File No.B/207/2007 and the same is still pending consideration.

The fact of filing the appeal before the Revenue Divisional Officer, Sanga Reddy, is not referred to by the petitioners in the affidavit filed in support of the writ petition and the Revenue Divisional Officer, before whom the appeal was filed by the petitioners, was not made a party to the present proceedings. But,

fact remains that appeal has been preferred by the petitioners questioning the impugned proceedings and the same is still pending consideration.

In that view of the matter and having regard to the facts in issue, the Writ Petition is disposed of directing the Revenue Divisional Officer, Sanga Reddy, to dispose of the appeal in File No.B/207/2007, if the same is still pending consideration, in accordance with law after hearing the petitioners and aggrieved persons, if any, at the earliest.

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

Date: 18.01.2017  
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**C. PRAVEEN KUMAR, J**

