

HON'BLE SRI JUSTICE M.S.K.JAISWAL

WRIT PETITION No.18599 of 2008

ORDER:

Heard the learned Counsel for the petitioner and the learned Counsel for respondent No.1.

The Writ Petition is filed for the following relief:

“To issue a writ, order or direction, more particularly one in the nature of mandamus declaring that the orders passed in ARC.No.156/01-D dated 03.02.2001 issued by the Divisional Cooperative Officer, Hyderabad West Division i.e., respondent No.1 and all consequential action taken in pursuance of the said orders including execution and registration of deed of cancellation dated 08.03.2004 being document No.3585/04 and the sale deed dated 11.03.2004 being document No.3972/04 executed in favour of respondent No.4 is wholly illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India apart from being violative of principles of natural justice and pass such other and further order or orders as deemed fit and proper by this Court.”

Learned counsel appearing for the petitioner as well as respondent No.1 would submit that this Writ Petition is covered by an order of this Court, in W.P.No.9470 of 2007 dated 02.08.2007, wherein this Court allowed the writ petition setting aside the impugned order and remanded the matter to respondent No.1 for fresh consideration and disposal.

In the instant writ petition, except the name of the petitioner and the date of sale deed, the remaining facts are similar to the facts in W.P.No.9470 of 2007.

Following the order of this Court, in W.P.No.9470 of 2007 dated 02.08.2007, the Writ Petition is allowed setting aside the impugned order and the matter is remanded to respondent No.1 for fresh consideration and disposal. He shall ensure that the cause-title is properly amended and notice is issued to the affected parties. He shall also furnish reasons in support of his conclusion. Office to enclose a copy of the order in W.P.No.9470 of 2007 dated 02.08.2007.

Pending miscellaneous applications, if any, shall stand closed in consequence.

Date: 07.11.2017
usd

M.S.K.JAISWAL,J

