

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.13431 of 2017

ORDER:

Heard Sri Goverdhan Reddy for petitioner and the Assistant Government Pleader for Revenue for respondents 1 to 5.

The petitioner challenges order of 4th respondent dated 30-03-2017 primarily on the ground that the order now impugned in the writ petition is *ex facie* contrary to the order dated 16-12-2016 passed by the 3rd respondent and further before passing the order, the petitioner was not put on notice. The order is communicated and now steps are being taken to take further steps pursuant to order dated 30-03-2017.

The Assistant Government Pleader opposes the maintainability of the writ petition on the ground that the grounds now canvassed do not attract the jurisdiction of this Court for challenging the impugned order by passing the remedy of appeal. These grounds can as well be urged before the appellate authority. According to him, the appeal is maintainable before the 3rd respondent against the order dated 30-03-2017 and there is no reason to bypass the remedy of appeal. On the submission of learned counsel for petitioner that if consequential steps pursuant to the proceeding dated 30-03-2017 are taken in the meanwhile, the purpose of filing the appeal would be defeated, he submits that for a limited period, the

parties can be directed to maintain *status-quo* in all aspects and the petitioner may be given liberty to move the appellate authority for appropriate orders.

The statement is placed on record.

The writ petition is disposed of by this order.

The petitioner is given liberty to avail the remedy of appeal by enclosing a copy of this order within four weeks from today.

The parties are directed to maintain status-quo in all aspects for a period of five weeks from today.

The petitioner is given liberty to seek further orders from the appellate authority. If such a request is made, the request is considered and orders are passed before expiry of status-quo ordered by this Court.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 17-04-2017

Note:

Issue C.C. in three days

(B/o)

Prv

THE HON'BLE SRI JUSTICE S.V.BHATT



WRIT PETITION No.13431 of 2017

18-04-2017

Prv

