

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE N. BALAYOGI

WRIT PETITION No. 20807 of 2015

ORDER: (*per Hon'ble Sri Justice Sanjay Kumar*)

The petitioners seek implementation of the order dated 23.01.2015 in I.A.No.200 of 2015 in L.G.O.P.No.548 of 2006 passed by the learned Chief Judge, City Civil Court, Hyderabad, i.e., to give effect to the decision of the Tribunal to take possession of the schedule property in the said L.G.O.P and to deliver the same to the petitioners.

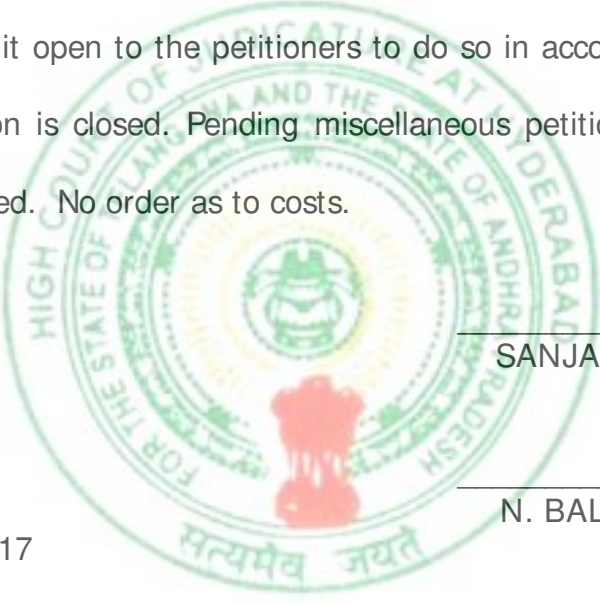
The learned Chief Judge, City Civil Court, Hyderabad, allowed L.G.O.P.No.548 of 2006 *vide* order dated 01.10.2009 requiring the respondents therein to deliver vacant and actual possession of the petition schedule property apart from other reliefs. However, as the said order was not implemented, the petitioners filed I.A.No.200 of 2015 therein under Rule 15(2) of the Andhra Pradesh Land Grabbing (Prohibition) Rules, 1988. This application was allowed by the learned Chief Judge, City Civil Court, Hyderabad, *vide* order dated 23.01.2015. However, as the said order was not acted upon and implemented, this writ petition was filed.

While the matter stood thus, the Andhra Pradesh Land Grabbing (Prohibition) Act, 1982 (for short 'the Act of 1982') was repealed by the State of Telangana insofar its application to the said State is concerned *vide* G.O.Ms.No.113, Revenue (Land Matters) Department, dated 01.06.2016. In terms of Clause 5 (2) (vi) of the said G.O., the judgment, decree or order passed under the Act of 1982, which remains unimplemented for any reasons, or pending before any Court for

execution as on the date of Repealing Order, shall stand transferred to the respective Civil Courts having jurisdiction to execute it in terms of the provisions of the Code of Civil Procedure, 1908.

This being the present situation, it is no longer open to the petitioners to seek implementation of the order passed in L.G.O.P.No.548 of 2006 through the process obtaining under the Act of 1982 prior to its repeal in the State of Telangana. The petitioners would necessarily have to adopt the procedure now provided under the Repealing Order, if they seek implementation of the said order.

Leaving it open to the petitioners to do so in accordance with law, the writ petition is closed. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.



SANJAY KUMAR, J

N. BALAYOGI, J

Date: 06.04.2017
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