

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.6463 OF 2017

ORDER:

The petitioners state that the father of the first petitioner owned and possessed land to an extent of Acs.7.25 guntas in survey No.8 of Tiryani Village and Mandal, Adilabad District, presently in Komuram Bheem Asifabad District. Out of the said land, an extent of Acs.4.00 guntas was sold on 09.04.1969 to the father of the petitioners 2 and 3 for a sale consideration. The said land was partitioned between petitioners 2 and 3 and each got Acs.2.00 guntas of land. The remaining land to an extent of Acs.3.25 guntas was in the possession of the first petitioner and his brother. However, the fifth respondent initiated proceedings under the A.P.Scheduled Area Land Transfer Regulation before the third respondent and the third respondent passed an order of eviction in respect of total extent of Acs.7.35 guntas by order, dated 07.10.2016. Against the said order, an appeal was preferred before the second respondent with an application seeking suspension of the order on 01.02.2017. When the same is pending, the present writ petition was filed.

This Court, by order, dated 14.03.2017, issued notice before admission and permitted the petitioners to take out notice on the respondents 5 and 6 and in spite of service of notice on the respondent 5 and 6, none appeared. In view of the pendency of the applications seeking condonation of delay and suspension of the order passed by the third respondent, it is not proper for the fourth respondent to take steps for eviction of the petitioners pending consideration of those applications.

In the circumstances, this writ petition is disposed of directing the second respondent to take up the application filed for suspension of the order, dated 07.10.2016 along with condonation of delay in filing the appeal as expeditiously as possible and pass appropriate orders thereon

in accordance with law. Till passing of such order, no steps shall be taken for eviction of the petitioners from the land in their possession.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions pending, if any, shall also stand closed.

A.RAMALINGESWARA RAO, J

20.04.2017
pln

