

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE DR JUSTICE SHAMEEM AKTHER

Writ Appeal No.79 of 2012

JUDGMENT: {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

This appeal, under Clause 15 of the Letters Patent, is preferred against the interlocutory order passed by the Learned Single Judge in W.P.No.33539 of 2011 dated 21.12.2011 granting interim suspension of the impugned order subject to the condition that the appellant-writ petitioner paid arrears of rent in full and upto date within a period of two weeks from the date of the order; and in default the order was to stand vacated. The 4th respondent was given liberty to take possession of the subject property without any further notice to the appellant-writ petitioner, and also to recover the dues. In the appeal preferred thereagainst the Division Bench, by its order in W.A.M.P.No.454 of 2012 dated 01.03.2012, extended the time to pay 50% of the arrears till 30.03.2012 making it clear that no further extension would be granted.

Smt. G.Neeraja Reddy, learned Standing Counsel for the Agricultural Market Committee, on instructions, submits that the appellant-writ petitioner did not comply with the interim order, and did not pay the amount as directed by the Learned Single Judge.

As this appeal is preferred against an interlocutory order, and as the condition stipulated for grant of interim relief has not been complied with, we see no reason to keep the writ appeal pending on the file of this Court or to interfere with the interlocutory order under appeal.

The Writ Appeal fails and is, accordingly, dismissed. Miscellaneous Petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(DR. SHAMEEM AKTHER, J)

28th April, 2017
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Date: 28.04.2017

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