

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.23468 of 2011

ORDER:

Heard Ms.V.Umadevi for petitioner and the Assistant Government Pleader for Revenue.

The petitioner challenges order of respondent No.3 dated 25.09.2010 made under A.P. Land Encroachment Act, 1905 (for short 'the Act'). Respondent No.4 seeks to justify the order from the conclusions recorded therein and also by referring to the stand taken in the counter-affidavit.

Counsel for petitioner submits that the objection is about the enjoyment, nature of enjoyment, etc. Though the writ petition was filed at the first instance, still these aspects according to her can effectively be worked out by filing an appeal under the Act. Therefore, she seeks liberty to file an appeal.

The request of counsel for petitioner is not opposed.

The writ petition is disposed of by this order:

- a) interim order granted on 20.08.2011 is directed to be continued for a period of eight weeks from today,
- b) the petitioner is given liberty to file an appeal, against the order of respondent No.4, by enclosing a copy of this order, before appellate authority within three weeks from today,

- c) if an appeal, as permitted by this order is filed, the appellate authority is directed to take the appeal on file and dispose of on merits.

It is open to petitioner to get interim orders in this behalf before the expiry of the period granted by condition No.1. No order as to costs.

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

S.V.BHATT, J

30th August, 2017.
ssp

