

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.25134 OF 2017

ORDER:

The case of the petitioner-M/s.Krishna Laboratory, is that it has filed IA.Nos.875 of 2017 in OA.No.380/2014 before the A.P.Endowments Tribunal at Amaravathi, seeking to set aside the exparte decree passed in OA.No.380/2014 on 19.07.2016 along with IA.No.876/2017 to condone the delay in filing the said petition seeking to set aside the exparte decree. Pending these petitions, the respondents are trying to evict the petitioner from the shop bearing D.No.11-31-73, Park Road, Vijayawada belonging to Nidumukkala Rangavalli Tayaramma Charities, Vijayawada, managed by the 4th respondent.

Learned counsel for the petitioner relied on the Judgment rendered by this Court in ***V.Divakara Rao and others v. V.Srinivasa Rao***¹ stating that the respondent authorities could have waited till disposal of the applications filed by the petitioner in the aforesaid OA.No.380/2014.

Heard learned Government Pleader for Endowments and Smt.K.Lalitha, learned Standing Counsel appearing for the 4th respondent.

In view of the aforesaid facts and circumstances, this writ petition is disposed of directing the Endowments Tribunal

¹ 2004(5) ALD 626

to dispose of the applications filed by the petitioner in IA.Nos.875 and 876 of 2017 in OA.No.380/2014, within a period of two weeks from the date of receipt of a copy of this order. Till then there shall be interim direction to the respondents 3 and 4 not to evict the petitioner from the subject shop. If petitioner does not cooperate for disposal of the aforesaid IAs, it is open for the Endowments Tribunal to pass orders, in accordance with law. If the order in the aforesaid IAs goes against the petitioner, it is open for the respondent authorities to take action against the petitioner, in accordance with law. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

28.07.2017
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A.RAJASHEKER REDDY, J