

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.30938 of 2017

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for respondents.

2. Petitioner's grievance is that petitioner had filed appeal before the District Collector on 06-09-2017 challenging the orders passed under Section 4-A of the A.P. Assigned Land (Prohibition of Transfers) Act, 1977 of the Revenue Divisional Officer, Kothagudem in POT Appeal No.4 of 2017 dt.16-08-2017; that the petitioner had also filed stay application along with the said appeal but the District Collector (5th respondent) has not passed any orders in the stay application as well as in the appeal.

3. Learned Government Pleader for Revenue appearing for respondent Nos.1 and 2 states that the 5th respondent will consider the said appeal as well as the stay petition within a period of two months from the date of receipt of a copy of this order after giving notice to respondent Nos.3 to 5 also.

4. Sri S.Madan Mohan Rao, learned counsel for respondent Nos.3 to 5, opposes the granting stay pending appeal to the petitioner.

5. If stay pending appeal is not granted, appeal itself would become infructuous.

6. Therefore, the Writ Petition is disposed of directing 5th respondent to decide the appeal preferred by the petitioner against the orders of 2nd respondent within two months from the date of receipt of a copy of this order and till the said appeal is decided, there shall be stay of all further proceedings pursuant to the order dt.16-08-2017 of 2nd respondent. No costs.

7. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

Date: 07-11-2017
kvr

JUSTICE M.S.RAMACHANDRA RAO

