

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.21966 of 2017

ORDER:

Heard Si P.V.Ramana for petitioner, the Assistant Government Pleader for respondents 1 to 3 and 5 and Si K.Ram Babu for respondent No.4.

On 21.06.2017, the petitioner filed appeal before the 1st respondent against order in POT Appeal No.2 of 2017 dated 30-05-2017. In the writ petition, the petitioner canvasses twin grievances of not considering and disposing of stay application and not giving a date for hearing of the appeal.

The Assistant Government Pleader, by referring to the date of disposal by the 2nd respondent and the date on which the appeal is filed before the 1st respondent, contends that the inaction complained in the writ petition is not made out and in a case like this, at best, the 1st respondent can be directed to examine the interim application filed by the petitioner alongwith appeal on 21.06.2017.

Si K.Ram Babu contends that the stay application/appeal is pending before the 1st respondent and the 4th respondent is ready to co-operate for disposal of either stay application or appeal.

The statements of the Assistant Government Pleader and Si K.Ram Babu are placed on record.

Having regard to the limited grievance of petitioner namely inaction in considering the stay application or appeal by the 1st respondent, I am satisfied the writ petition can be disposed of by this order.

The petitioner is given liberty to file a Memo by enclosing a copy of this order and seek a date for hearing of the interim application before the 1st respondent within one week from today. On such request, the 1st respondent considers fixing a date and hears both the parties and disposes of the stay application within one week thereafter. The parties are directed to maintain status-quo, as on date, in all aspects, for a period of two weeks from today.

The writ petition is disposed of accordingly. No order as to costs.

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

Dt: 05-07-2017
Prv

S. V. BHATT, J

