

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.7866 OF 2017

ORDER

The claim of the petitioners is that they are the absolute owners and possessors of the subject land. The 3rd respondent- Revenue Divisional Officer by proceedings No.C1/2545/2015 dated 3.10.2016 granted permission for conversion of agriculture into non-agriculture purpose. Aggrieved by the said order, the 4th respondent filed appeal in Case No.D2/7038/2016 and the 2nd respondent – Joint Collector by order dated 8.2.2017 granted stay of the order dated 3.10.2016 passed by the Revenue Divisional Officer till the next date of hearing on 22.4.2017. The grievance of the petitioners is that though pursuant to the notice, they filed petition seeking to vacate the interim stay, the 2nd respondent has not passed any orders. Hence the writ petition.

The learned counsel for the petitioners submit that on merits, the 4th respondent has no case, since his claim is based on documents prior to 1954. However, as no orders are being passed on the vacate stay petition, the petitioners are put to hardship.

Heard the learned Assistant Government Pleader for Revenue.

The 2nd respondent has granted interim stay pending the appeal. As the petitioners have filed petition seeking to vacate the said interim stay, it is obligatory on the part of the 2nd respondent to dispose of the same and pass orders in accordance with law.

Having regard to the facts and circumstances, without expressing any opinion on merits, the writ petition is disposed of at the stage of admission directing the 2nd respondent to dispose of the stay petition / appeal, filed by the 4th respondent after considering the objections raised by petitioners, and pass orders in accordance with law, after issuing notice to both sides, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Miscellaneous petitions pending if any, shall stand closed.

A.RAJASHEKER REDDY,J

DATE:07—03—2017

AVS

