

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.19998 OF 2017

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue a Writ, Order or Direction, particularly a Writ in the nature of Mandamus, declaring the action of the 2nd respondent in not passing orders on the Stay Petition filed along with Appeal S.R.A.No. /2017 S5 and keeping Appeal pending is illegal, arbitrary and consequently direct the respondent No.2 herein to hear the Stay Petition filed along with Appeal and to pass such other order or orders as this Hon'ble Court may deem fit just and proper in the circumstances of the case.”

2. Heard learned counsel for the petitioner and perused the prayer in the writ petition with supporting affidavit and the other material on record and also heard the learned Government Pleader for Civil Supplies, representing the respondents.

3. As the appeal is already stated to be filed on 25.05.2017, though interim suspension petition was dismissed by the appellate authority in its discretion there is no bar for disposal of the appeal.

4. Having regard to the above, this writ petition is disposed of, directing the appellate authority i.e., Joint Collector, Srikakulam, Srikakulam District – 2nd respondent herein to dispose of the appeal within two months from today.

5. Miscellaneous petitions pending consideration, if any, in this case shall stand closed. No order as to costs.

DR.B.SIVA SANKARA RAO,J

21.06.2017

Note: issue C.C. by tomorrow.

B/o.SS

