

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION NO. 12892 OF 2017

ORDER:

This Writ Petition is filed challenging the order passed by the second respondent on 25.2.2016 and communicated to the petitioners on 16.3.2017 holding that the petitioners are liable to be evicted in exercise of powers under Section 53 of the A.P. Housing Board Act, 1956 read with Rule 32 of the A.P. Housing Board Rules, 1959.

The possession of the respondents/petitioners herein is not disputed. However, there is a provision for appeal against the said order to the Chief Judge, City Civil Court, Hyderabad, within a period of 30 days from the date of the order. Since the order was communicated to the petitioners on 16.3.2017, petitioners should have been taken steps for filing of an appeal within one month thereafter.

In view of existence of right of appeal, this Court is inclined to dispose of the Writ Petition giving liberty to the petitioners to file an appeal within a period of 30 days from today and the respondent shall not take any action pursuant to the orders passed on 25.2.2016 for a period of 60 days.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

A. RAMALINGESWARA RAO, J

DATE: 12.04.2017

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