

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.36599 OF 2017

ORDER:

Heard Mr.B.S.S.Prasad for petitioner and the Assistant Government Pleader for Social Welfare.

The petitioner apprehending dispossession pursuant to order dated 08.08.2017 in O.S.No.22 of 2016 on the file of 3rd respondent herein, pending disposal of appeal filed before 2nd respondent on 13.09.2017, filed the present writ petition.

I have perused the record. *Prima facie*, I am satisfied that the petitioner aggrieved by the order of ejectment passed by 3rd respondent has filed appeal before the 2nd respondent along with an application for stay and the 2nd respondent is yet to dispose of the stay application or take the appeal on file. Under those circumstances, if the possession is disturbed, the petitioner would suffer irreparable loss and hardship. Hence, to meet the ends of justice, the writ petition is disposed of by this order:

The 2nd respondent is directed to register the appeal filed by petitioner on 13.09.2017 and consider taking up the application filed for stay and dispose of same within eight weeks today from today.

The petitioner is directed to file a memo before the 2nd respondent by enclosing a copy of this order within two weeks.

The respondents are directed not to dispossess the petitioner from the subject property for a period of eight weeks from today.

There shall be no order as to costs.

Consequently, pending miscellaneous petitions stand closed.

S.V.BHATT, J

02nd November, 2017
Lrkm