

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.42738 of 2017

ORDER:

Heard Mr.T.Lakshiminarayana, counsel for petitioner, for considerable length of time.

The learned Standing counsel for respondent Nos.2 and 3 opposes maintainability of writ petition on the ground that the petitioner calls in question, notice issued under sub-section (1) of Section 5 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 (for short 'the Act') and further, the petitioner if aggrieved, by the order of eviction passed by respondent No.3 has remedy of appeal under Section 9 of the Act. The filing of writ petition is illegal and petitioner ought to be relegated to work out the remedies before the authorities and under the Act.

Keeping in view, the objections raised by learned Standing counsel, I am satisfied the writ petition can be disposed of by this order.

“(a) The petitioner is given two (02) weeks time from the date of receipt of copy of this order to submit explanation to the notice impugned in the writ petition.

(b) The respondents on receipt of reply/explanation are directed to proceed in the matter in accordance with the Act and

communicate the orders by Registered Post acknowledgement due.”

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

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

S. V. BHATT, J

Dt: 15.12.2017
dv

