

THE HON'BLE SRI JUSTICE RAGHVENDRA SINGH CHAUHAN
AND
THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT APPEAL No.252 of 2018

JUDGMENT: (Per the Hon'ble Sri Justice Raghvendra Singh Chauhan)

The appellant has challenged common order, dated 24.07.2017, in respect of Writ Petition No.25696 of 2010.

2. Both the learned counsel are *ad idem* that the issue raised in the present appeal was earlier raised in W.A.No.1648 of 2017 and batch of writ appeals. The said batch of writ appeals was decided by a learned Division Bench of this Court *vide* common judgment, dated 04.04.2018. Therefore, this appeal, too, could be decided in the same terms.

3. The learned counsel for the appellant, however, pleads that in the judgment, dated 04.04.2018, the learned Division Bench has observed that the writ petitioners were unaware of the fact that the ryotwari pattas were issued to them. But in the present case, the writ petitioners - respondent Nos.3 to 7 before this Court, were indeed issued ryotwari pattas in 1996. They were well aware of this fact. Therefore, there is a slight difference in the factual matrix.

4. Nevertheless, the slight difference in the factual matrix would not make any difference. For, by the judgment, dated 04.04.2018, the learned Division Bench has merely granted liberty to the writ petitioners to approach the Revenue Divisional Officer.

5. Therefore, respondent Nos.3 to 7 – the writ petitioners, are also granted liberty to approach the Revenue Divisional Officer, who is directed to give an opportunity of hearing to both the parties, and both the parties shall be free to raise all the contentions, which are available to them, before the Revenue Divisional Officer.

6. Subject to the above observations and direction, this Writ Appeal stands disposed of.

7. As a sequel, pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

RAGHVENDRA SINGH CHAUHAN, J

M.SATYANARAYANA MURTHY, J

18th December, 2018
GHN

