

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.6511 OF 2018

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Social Welfare (TG) appearing for respondent Nos.1 to 4.

2. Petitioner herein claims to be the owner and pattadar of land admeasuring Ac.1.05 guntas situated in Sy.No.286 of Irsulapuram Village of Bayyaram Mandal of Mahabubabad (Khammam) District. As against the orders passed by the Agency Divisional Officer, Kothagudem, respondent No.2 herein, in LTR Case No.8/2015/Bym, dated 27.02.2016, the petitioner herein filed an appeal before respondent No.1/The Agent to Government, Mahabubabad, which is numbered as O.S.No.76 of 2017, on 15.07.2017. Along with the said appeal, he also filed an application seeking stay of operation of the order passed by the primary authority.

3. The grievance of the petitioner in the present writ petition is in view of the absence of any orders in the said appeal, the respondent authorities are contemplating to dispossess the petitioner herein from the subject property and if the same is allowed, the petitioner herein will have to suffer irreparable loss and hardship.

4. Since the right of appeal is a substantive right and having regard to the facts and circumstances of the case and keeping in view the submissions made by the learned counsel for the

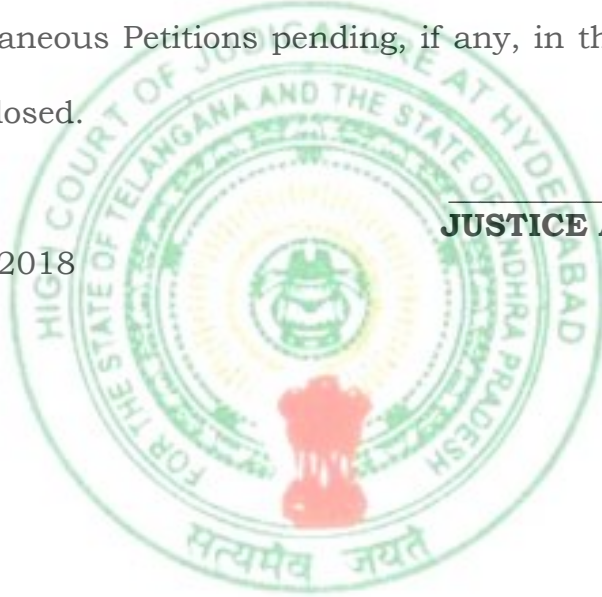
petitioner and the learned Government Pleader, this Court deems it appropriate to dispose of the writ petition with a direction to respondent No.1 to dispose of O.S.No.76 of 2017 after affording opportunity to all the stakeholders as expeditiously as possible, preferably, within a period of four (4) months from the date of receipt of a copy of this order. Till the said exercise attains finality, *status quo* with regard to the subject property shall be maintained.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

Date : 27.02.2018
AMD

JUSTICE A.V.SESHA SAI



THE HONOURABLE SRI JUSTICE A.V.SESHA SAI



WRIT PETITION No.6511 OF 2018

Date: 27.02.2018

AMD