

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.11660 OF 2018

Dated:10.04.2018

Between:

Hubert, S/o. Late Frانس Xavier,
Aged 44 years, Occ: Business,
R/o. H.No.10-1-207, West Marredpally,
Secunderabad

.. Petitioner

And

The State of Telangana, through its
Principal Secretary, Revenue Department,
Secretariat, Hyderabad and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

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ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue appearing for the respondents.

2. Aggrieved by the order passed under Section 6 of the Land Encroachment Act, 1905, petitioner preferred appeal before the Revenue Divisional Officer, Secunderabad Revenue Division, along with the application for stay of dispossession. Alleging inaction on the application filed for grant of stay, this Writ Petition is filed.

3. Petitioner earlier filed W.P.No.5229 of 2018 directly without availing the remedy of appeal. Since petitioner has an effective and efficacious remedy by way of appeal, the Court was not inclined to admit the Writ Petition and disposed of the same while granting liberty to the petitioner to avail the remedy of appeal. The Court also ordered maintenance of *status quo* for a period of thirty days.

4. The appeal preferred by the petitioner was received in the office of the Revenue Divisional Officer on 14.03.2018. Petitioner also enclosed copy of interlocutory application/stay petition filed in the said appeal.

5. In view of the same, the Writ Petition is disposed of directing the Revenue Divisional Officer, Secunderabad Revenue Division, to finalize the appeal pending before him as expeditiously as possible preferably within eight weeks and if it is not possible for the Revenue Divisional Officer to dispose of the appeal, he shall consider the interlocutory application/stay petition filed by the

petitioner for grant of stay and pass appropriate orders. Till final orders are passed by the Revenue Divisional Officer in the appeal or in the interlocutory application, as the case may be, *status quo* granted by this Court in W.P.No.5229 of 2018 shall continue to operate. There shall be no order as to costs.

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

P. NAVEEN RAO, J

Date:10.04.2018

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