

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.17365 of 2018

ORDER:

Heard Mr.P.Rajesh Babu for petitioner and the Assistant Government Pleader for Revenue.

The petitioner challenges notice dated 16.04.2018 and panchanama dated 02.05.2018 as illegal and contrary to the scheme of WALTA 2002.

The Assistant Government Pleader objects to the maintainability of writ petition on the ground that the petitioner has effective remedy of appeal, where the appellate authority has comprehensive jurisdiction on all aspects including regularisation of sinking bore well etc.

I have perused the order. *Prima facie*, it appears that the bore well is seized even before expiry of the period of appeal provided for by the enactment.

Learned counsel for petitioner submits that the petitioner has also *expost facto* obtained permission and operated bore well without infringing the requirement of WALTA 2002.

After perusing the material on record, I am satisfied the petitioner can be relegated to the remedy of appeal.

Hence, the writ petition is disposed of by this order.

(a) The petitioner can file appeal against the order impugned in the writ petition, within four weeks from today, by enclosing a copy of this order.

(b) The seizure effected through panchanama dated 02.05.2018 is suspended for a period of eight weeks from today.

(c) The petitioner is given liberty to obtain necessary orders from the appellate authority.

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

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

Dt: 14-06-2018
Prv

S. V. BHATT, J



