

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.41355 OF 2014

Dated:22.02.2018

Between:

T. Narayanappa, S/o. Pandappa,
60 years, Vaddindlu, Hindu,
Agriculturist, Baireddipalli Mandal,
Chittoor District and others

.. Petitioners

And

The State of Andhra Pradesh, rep., by its
Principal Secretary to Government, Revenue
Department, A.P. Secretariat, Hyderabad
And others

.. Respondents



The Court made the following:

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ORDER:

Heard.

2. The Writ Petition is filed challenging the decision of the Joint Collector in Proceedings No.Roc.(E4)/12497/2011, dated 25.10.2014.

3. This Court, by order dated 30.12.2014, granted an order of *status quo* which was extended until further orders by order dated 25.08.2015. Praying to vacate the said interim order, W.V.M.P.Nos.2495 of 2015 and 3869 of 2015 are filed.

4. When the vacate petitions are taken up for consideration, learned senior counsel for the petitioners, learned counsel for unofficial respondents and learned Government Pleader for Revenue agree that since appeal preferred by the petitioners before the Commissioner of Appeals is pending consideration, the Writ Petition may be disposed of with a direction to the appellate authority to consider the said appeal and fix a time frame.

5. At this stage, it may be noted that the Writ Petition is filed alleging that even though appeal was filed along with the stay petition to stay the order of Joint Collector, no order was passed by the Joint Collector compelling the petitioners to approach this Court. Since the statutory remedy of appeal was availed by the petitioners and the said appeal is pending, this Court is not inclined to go into the merits of the respective contentions as urged by the parties in their respective affidavits.

6. The Writ Petition is accordingly disposed of directing the Commissioner of Appeals to consider and dispose of the appeal preferred by the petitioners, as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order. Having regard to the history of litigation and long pendency of the appeal, the Commissioner of Appeals is directed to hold day-to-day sittings to the extent possible and conclude the proceedings expeditiously. The Commissioner of Appeals is also directed to hold the first sitting of the appellate proceedings on 15.03.2018 at 11:00 A.M. All the parties or their representatives shall appear before the Commissioner of Appeal on the said date. It is open to the Commissioner of Appeals to hold the *ex parte* proceedings, if the parties do not cooperate or appear on the dates fixed by him. The interim order earlier granted shall continue till the final orders are passed by the Commissioner of Appeals. There shall be no order as to costs.

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

P. NAVEEN RAO, J

Date:22.02.2018

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