

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.23057 of 2018

ORDER:

Heard Mr.Y.S.Murthy for petitioner and the learned Assistant Government Pleader for Revenue.

The petitioner and respondents 6 to 8 are parties in S.A.No.153 of 2000. On 06.02.2003 in C.M.P.No.2836 of 2003 filed by the petitioner herein, this Court passed the following interim order :-

“Status-quo obtaining as on today shall be maintained by both parties, pending disposal of Second Appeal.”

The petitioner made representation before the 2nd respondent on 30.05.2018 for the following relief :-

“.....

Therefore, your honour is hereby requested to see that the orders of the Hon'ble High Court are implemented and cheque and pattadar passbook in respect of the above said agriculture land issued in favour of Smt.Sakku Bai be recalled forthwith and pass such further order or orders which are deem fit and proper in the interest of justice.”

The present writ petition is filed complaining inaction in disposing of the said representation.

Mr.Y.S.Murthy contends that the petitioner is conscious of the fact that as regards substantive prayers, S.A.No.153 of 2000 is pending. Therefore, the petitioner is not praying for a prayer over and above the prayer already granted by this Court on 06.02.2003. According to him, once the status-quo order is brought to the notice of respondents, issuing cheques or taking up any other

activity is enquired into and necessary orders are passed by respondents. Therefore, he prays for a direction to dispose of the representation expeditiously.

I have perused the record and noted the submissions of learned counsel for petitioner.

Prima facie, this Court is of the view that the petitioner ought to take further substantive reliefs vis-à-vis the subject matter in pending Second Appeal and thereafter bring the substantive relief granted by this Court to the notice of respondents for compliance. For valid and also for weighty reasons, this Court does not propose to examine the scope of status-quo order either.

SA.No.153 of 2000, since is pending and respondents 6 to 8 are parties, all prayers which are available including the prayer made through representation can be canvassed in the Second Appeal.

For the above reasons, I am not persuaded to entertain the writ petition.

The writ petition is accordingly dismissed. However, liberty is given to petitioner to file petitions, as are deemed fit, in the pending civil litigation. No order as to costs.

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

S. V. BHATT, J

Dt: 06-07-2018
Prv



WRIT PETITION No.23069 of 2018

06-07-2018

Prv

