

HON'BLE THE CHIEF JUSTICE
SRI THOTTATHIL B. RADHAKRISHNAN
AND
HON'BLE SRI JUSTICE S.V.BHATT

WRIT APPEAL No.768 OF 2017

JUDGMENT: *(Per the Hon'ble Sri Justice S.V.Bhatt)*

Mr.G.Tuhin Kumar, learned counsel for appellants, submits that he has relinquished the engagement and his consent letter has already been taken by the appellants.

We have perused the record and noted that the appellants have not made alternative arrangement by engaging another Advocate in the place of Mr.Tuhin Kumar.

We have heard the learned counsel appearing for the respondents.

The appeal is directed against the following order:

“Heard learned counsel for the petitioner and learned Assistant Government Pleader for respondents 1 to 4.

Since the representations of the petitioner dated 31.08.2016 and 03.09.2016 are pending with the 4th respondent, it is for the 4th respondent to consider the said representations.

In view of the facts and circumstances, the 4th respondent is directed to consider the representations of the petitioner and take appropriate action, in accordance with law, after issuing notice to the 5th respondent, within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, this writ petition is disposed of.”

The appellants raised a few objections against the consideration of representation made by 6th respondent. According to them, on the request of either 6th respondent or

5th respondent, the representation ought not to be considered. Therefore, they pray for setting aside the order under appeal.

The operative portion, as excerpted above, is clear that the learned Single Judge directed consideration of representation made by 6th respondent herein, in accordance with law. The order, even if refers to affording opportunity only to 5th respondent herein, the appellants, if have grievance in the pending enquiry under the A.P. Assigned Lands (POT) Act, can as well move the 4th respondent/Tahsildar canvassing their grievance for consideration and decision by him. The counsel appearing for the parties are unable to inform the stage of the enquiry viz., whether enquiry is completed or still pending.

Be that as it may, keeping in view the nature of disposal and the impact on the rights of the parties, we are convinced that no ground is made out warranting interference. Hence, the appeal is dismissed on merits. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending stand closed.

THOTTATHIL B. RADHAKRISHNAN, CJ

S.V.BHATT, J

Date: 27.08.2018

Sp