

**THE HON'BLE SRI JUSTICE S.V.BHATT**

**W.P. No.28242 of 2018**

**ORDER:**

The petitioner prays for the following relief:

“.....Writ of Mandamus, declaring the action of the 2<sup>nd</sup> respondent in not disposing of the appeal in Roc.B2/1174/2008 Dt.03.05.2008 for cancellation of pattadar pass book and title deed issued in favour of 4<sup>th</sup> and 5<sup>th</sup> respondents is illegal, arbitrary and violation of principles of natural justice and consequently direct the 2<sup>nd</sup> respondent to dispose of the appeal in Roc.B2/1174/2008 Dt.03.05.2008 .....”

The Assistant Government Pleader places on record, the written instructions dated 09.08.2018 received from the office of the 3<sup>rd</sup> respondent.

The 3<sup>rd</sup> respondent admits that on account of huge work load, the appeal could not be disposed of by 3<sup>rd</sup> respondent. He further submits that the remarks are already sent to appellate authority/2<sup>nd</sup> respondent. In these circumstances, it is stated that appeal can be disposed of expeditiously.

The inaction complained in the writ petition is against non-disposing of appeal in Roc.B2/1174/2008.

This Court does not want to enquire into the reasons which caused the delay, but keeping in view the statement made by the 3<sup>rd</sup> respondent namely that the instructions in the appeal are already forwarded, the writ petition is disposed of by this order:

- (a) The 2<sup>nd</sup> respondent is directed to dispose of the appeal as expeditiously as possible preferably within eight (08) weeks from the date of receipt of copy of this order.
- (b) The petitioner is given liberty to file a memo before the 2<sup>nd</sup> respondent seeking an earlier date for disposal of the appeal.

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

Date: 10.08.2018  
dv



**S. V. BHATT, J**