

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 35409 of 2018

ORDER:

Heard both sides.

2. The present writ petition came to be filed seeking the following relief:

“To declare the impugned orders of the 3rd respondent in R.B.No. 242/ 2018 dated 28.07.2018 and further inaction of the 2nd respondent in not passing appropriate orders either in the appeal or in the stay petition filed by the petitioner as illegal, arbitrary and consequently set aside the aforesaid impugned orders of the 3rd respondent.”

3. When the matter is taken up, it is brought to the notice of this court that an appeal came to be filed by the petitioner before the Revenue Divisional Officer, against the order passed by the Tahsildar in R.B.No. 242/ 2018 dated 28.07.2018, but, no orders are passed either on the appeal or in the stay application filed along with the appeal.

4. Learned Government Pleader would submit that if the stay application filed along with the appeal, is pending, the authorities may be directed to pass orders on the same.

5. Having regard to the above, the writ petition is disposed of at the admission stage, directing the Revenue Divisional Officer,

before whom the appeal is said to have been filed by the petitioner along with the stay application, to pass appropriate orders on the stay application, in accordance with law, after hearing all concerned, within a period of six weeks from the date of receipt of a copy of this order. Since the order of the Tahsildar is with regard to handing over possession of the subject land, which is beyond his jurisdiction, *status quo* as on today to be maintained with regard to possession and entries in the revenue records, for a period of two months. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

01.10.2018
DMG



JUSTICE C. PRAVEEN KUMAR