

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.37488 OF 2018

ORDER:

The present writ petition came to be filed seeking to declare the action of the 4th respondent in trying to dispossess the petitioner from the land admeasuring Ac.0.26 gts, situated at Sy.No.475/30 of Karkapalli Village, Ghanpur (Mlg) Mandal, Jayashankar Bhoopalpally District, as illegal and arbitrary.

Though various grounds are raised, learned counsel for the petitioner submits that the petitioner filed an appeal dated 29.9.2018, before the 2nd respondent-District Collector under Section 4A of the A.P. Assigned Land of Prohibition of Transfer Act, 1977 (for short, "the Act") against the order dated 21.7.2018, passed by the 3rd respondent-R.D.O, in Appeal Ref.No.F/1942/2017, which is pending consideration.

It appears that the petitioner did not file any stay application along with the appeal before the 2nd respondent District Collector and approached this Court questioning the act of the 4th respondent in trying to dispossesses the petitioner in spite of pendency of the revision before the 2nd respondent-District Collector. Since the appeal is pending before the appropriate authority, it is just and proper to direct the petitioner to file an application seeking stay of the order of the 3rd respondent-R.D.O dated 21.7.2018.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the petitioner to submit an application before the 2nd respondent-District Collector in the appeal filed under Section 4A of the Act against the order dated 21.7.2018, passed by the 3rd respondent-R.D.O, in Appeal Ref.No.F/1942/2017, within a period of one week from today, in which event, the 2nd respondent-District Collector, shall deal with the same and pass appropriate orders, in

accordance with law, within a period of ten days thereafter, after giving reasonable opportunity of hearing to the petitioner and all concerned.

With the above direction, the writ petition is disposed of. No order as to costs. As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand closed.

Dated:12.10.2018.
Gk

C. PRAVEEN KUMAR, J



HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

396



WRIT PETITION No.37488 OF 2018

Date:12.10.2018

Gk