

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

WRIT APPEAL No.1458 OF 2018

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

Heard the learned counsel appearing for both parties on the costs imposed by the learned Single Judge, while dismissing W.P. No. 33182 of 2018.

2. Mr. M. Damodar Reddy, learned counsel for the appellant, draws our attention to the prayer in W.P. No. 23156 of 2017, also the order dated 13.7.2017 of this Court and submits that there is no suppression of fact, much less a material fact, in filing the present Writ Petition. According to him, the appellant is compelled to invoke the jurisdiction of this Court once again because the appellate authority is not considering and disposing of the appeal or the stay application filed by the appellant.

3. Mr. Bhasker Reddy, learned Government Pleader for Revenue does not dispute the present state of affairs and seeks three months time from the date of receipt of a copy of this order to dispose of the appeal filed by the appellant.

4. Hence, the Writ Appeal is ordered as follows:

The costs imposed in W.P. No. 33182 of 2018 are set aside. The appellate authority is directed to dispose of the appeal filed by the appellant within three months from today. The appellant is given liberty to submit a copy of the appeal together with a copy of this order within two weeks from today for timely completion of the directions issued supra.

5. The Writ Appeal is ordered as indicated above.

6. As a sequel thereto, miscellaneous applications, if any, pending in the Writ Appeal shall also stand closed. There shall be no order as to costs.

THOTTATHIL B. RADHAKRISHNAN, CJ

S.V. BHATT, J

5th November, 2018.

pnb

