

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.715 OF 2019

ORDER

The order under challenge in the present case is one passed by the Tahsildar, Aasifnagar Mandal, Hyderabad District, in exercise of power under Section 6 of the Land Encroachment Act, 1905. This order is appealable under Section 10 thereof.

Needless to state, the scope of a statutory appeal would be far wider than the enquiry that can be undertaken by this Court in a writ petition filed under Article 226 of the Constitution.

However, as the Vacation Court deemed it appropriate to grant interim stay of the impugned order dated 08.01.2019 for a period of four weeks, the writ petition is disposed of directing the continuance of the said interim order for a period of two weeks from today. In the meanwhile, the petitioners shall invoke the appeal remedy provided to them under the statute. It is made clear that the grant of the interim order by this Court would not have any bearing on the appellate authority or the adjudication of the appeal, which shall be undertaken by the said authority on its own merits and in accordance with law.

Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

28th JANUARY, 2019

Sv

SANJAY KUMAR, J