

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.1628 of 2019

DATED :05-02-2019

Between :

R.Anjaiah S/o.Yellaiah, aged about 58 years,
Ex-President of Muthyal Rao Co-operative Housing
Society Limited R/o.Plot No.A-94, J J Nagar Colony,
Neredmet X Road, Sainikpuri, Secunderabad 500 094.

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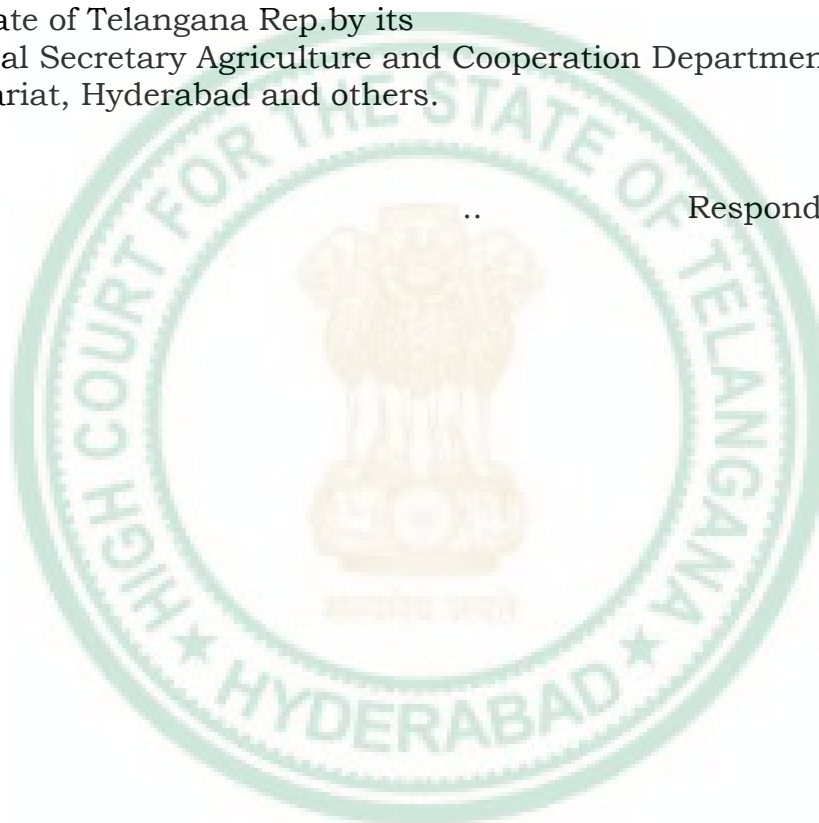
Petitioner

And

The State of Telangana Rep.by its
Principal Secretary Agriculture and Cooperation Department,
Secretariat, Hyderabad and others.

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Respondents



This court made the following :

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.1628 of 2019

ORDER :

This writ petition is filed challenging the notice issued by the Cooperative Tribunal, Hyderabad (for short “the Tribunal”) in CTA No.25 of 2018 as illegal and contrary to the orders passed by this Court in WP.No.13651 of 2017, dated 19-03-2018.

02. According to learned counsel for the petitioner while disposing of writ petition No.13651 of 2017, this Court granted two weeks time to file the appeal, whereas the appeal was not filed within two weeks, but was actually filed on 14-03-2018. Therefore, appeal was not maintainable. The Tribunal ought to have considered the maintainability of the appeal before issuing the notice. He would further contend that there is no regular Chairman appointed to the Tribunal and therefore, matters are not being taken-up by the Tribunal.

03. Learned Government Pleader produced a letter dated 30-01-2019 addressed to him by the Co-operative Tribunal informing that Sri M.V.Ramesh is posted as Chairman of the Cooperative Tribunal on FAC basis and has taken charge on 31-01-2019 and that Tribunal is now functioning.

04. When the copy of the order of this Court was received and whether the appeal was preferred within the time granted are matters for the Tribunal to verify and to take appropriate decision.

05. According to learned counsel for the petitioner, petitioner filed I.A.No.131 of 2018 raising objection on maintainability of the appeal, but the same is not considered so far.

06. Since the Tribunal is now functioning, the Tribunal is directed to consider the objection raised by the petitioner on the maintainability of appeal before proceeding further. The said objection shall be considered as expeditiously as possible preferably within a period of three months from the date of receipt of a copy of this order.

07. Accordingly, the writ petition is disposed of. Pending miscellaneous petitions shall stand closed.

P.NAVEEN RAO,J

05-02-2019
Nvl

