

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

CRP.No.484 of 2019

ORDER:

Heard counsel for the petitioners and the Government Pleader for Arbitration appearing for respondents.

2. This Revision is filed challenging the Docket Order dt.11.06.2018 in CFR.No.5794/2017 in LAOP.No.1 of 2019 passed by the Principal District Judge, Mahabubnagar rejecting the plea of the petitioners to withdraw the compensation amount, which is deposited to the credit of the said O.P. by the LAO/RDO, Narayanpet on 25.03.2016 along with the reference.

3. It is not in dispute that LAOP.No.1/2019 was decided on 29.06.2017 and the claim of the Siddalingeshwara Swamy Mutt Temple through the Endowments Department was dismissed and finding was recorded that the lands were in possession of private persons and had never been managed by the said Mutt.

4. No doubt there is no finding, as observed by the Principal District Judge, regarding the entitlement of the petitioners, but since the petitioners were the respondents in the O.P, their claim is deemed to have been upheld by the rejection of the claim of the Endowments Department. Therefore, the Court below is not correct in stating that it cannot disburse the amount to the petitioners herein on the pretext that the Principal District Court in the O.P. had not adjudicated the rights of the original

claimants regarding the amounts deposited by the RDO, Narayanpet.

5. Therefore, this Civil Revision Petition is allowed; the impugned order is set aside; and the Court below is directed to disburse the amount deposited with it by the RDO, Narayapet along with the reference in LAOP.No.1/2019 within a period of four (04) weeks from the date of receipt of a copy of this order. No order as to costs.

6. Consequently, miscellaneous petitions pending if any, shall stand closed.

04th June, 2019.

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M.S. RAMACHANDRA RAO, J

