

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.3595 OF 2019

Dated:08.03.2019

Between:

Maloth Bala, S/o. Ratna,
Age 45 years, Occ: Agriculture,
R/o.Hollythanda, Laxmidevipally
Mandal, Bhadradri-Kothagudem District .. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary (Tribal Welfare),
Secretariat, Hyderabad and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.3595 OF 2019****ORDER:**

Heard learned counsel for the petitioner and learned Government Pleader for Social Welfare appearing for the respondents.

2. Aggrieved by the order of eviction and direction to the Agency Divisional Officer, Kothagudem, Bhadrachalam District, to take custody of the subject property, dated 28.08.2018, made in LTR. Case No.3 of 2017/Ldp, petitioner preferred appeal to the Additional Agent to Government (Project Officer), ITDA, Bhadrachalam, Bhadrachalam District. Along with the said appeal, an application for grant of interim stay was also filed. Alleging inaction on the application filed by the petitioner for grant of stay, this Writ Petition is filed.

3. Learned Counsel for petitioner submits that having regard to the order passed by the original authority, unless application for grant of stay is considered and orders are passed, prejudice would be caused to the petitioner.

4. Learned Government Pleader for Social Welfare, on instructions, submits that appeal filed by the petitioner is under scrutiny.

5. As the appeal was filed on 03.01.2019 and for more than two months, it is pending, the Writ Petition is disposed of with the following directions.

- (i) The appellate authority is directed to process the appeal dated 03.01.2019 preferred by the petitioner, assign appeal number, if it is otherwise in order, and also consider the application filed for grant of stay within a period of six weeks from the date of receipt of a copy of the order.
- (ii) The appellate authority shall also put on notice the respondents in the appeal before passing such orders.
- (iii) Till orders are passed, *status quo* obtaining as on today shall be maintained.

There shall be no order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

Date:08.03.2019

KH

P. NAVEEN RAO, J