

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.11964 OF 2019

ORDER

The grievance of the petitioners is that the Joint Collector, Medchal Malkajgiri District, is not considering the stay application filed by them in their appeal taken on file as Case No.F2/389/2018 which was filed against the order dated 06.01.2018 of the Tahsildar, Medchal Mandal, Medchal Malkajgiri District. It appears that the petitioners filed the appeal against the aforestated order as long back as in March, 2018.

Sri Pushadapu Subba Rao, learned counsel, would inform this Court that notice has already been ordered on the stay application filed in the appeal and the contesting respondents also filed their counter before the appellate authority.

In the light of the order proposed to be passed by this Court, it is not necessary to put the unofficial respondents on notice or afford them an opportunity of hearing at this stage.

A hierarchy of statutory remedies is provided to a litigant so as to afford him quick justice. In such a situation, it is not open to a quasi-judicial appellate authority to sleep over the stay application filed before him in a pending appeal. Valuable property rights of the parties would be at stake and the remedy itself may be rendered redundant owing to the delay on the part of such authority in disposing of the stay application pending the appeal.

The writ petition is accordingly disposed of directing the Joint Collector, Medchal Malkajgiri District, to dispose of the stay application filed by the petitioners in their pending appeal in Case No.F2/389/2018 on its own merits and in accordance with law expeditiously and in any event, not later than one week from the date of receipt of a copy of this order, be it from whatever source.

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

17th JUNE, 2019

SANJAY KUMAR, J

Note: Issue C.C. by tomorrow.
B/ o Svv

