

HIGH COURT FOR THE STATE OF TELANGANA

THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN

AND

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

WRIT APPEAL No.653 of 2019

07.08.2019

Between:

The District Fisheries Officer,

...Appellant

and

Syed Ahmed and others

...Respondents

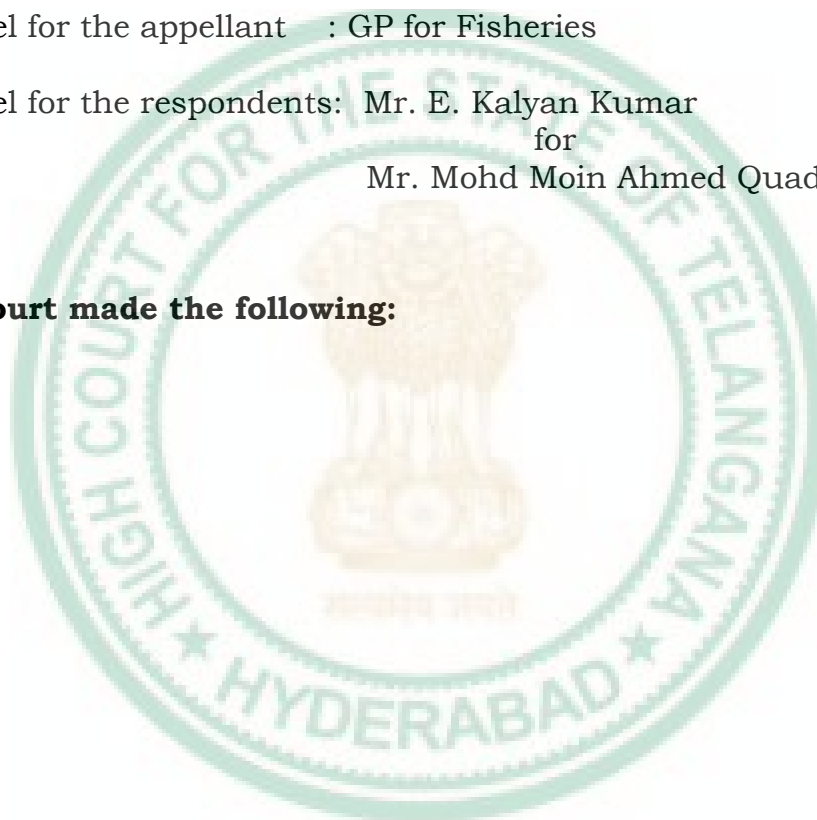
Counsel for the appellant : GP for Fisheries

Counsel for the respondents: Mr. E. Kalyan Kumar

for

Mr. Mohd Moin Ahmed Quadri

The Court made the following:



JUDGMENT: (Per the Hon'ble the Chief Justice Sri Raghvendra Singh Chauhan)

The District Fisheries Officer, the appellant, has challenged the legality of the order dated 14.06.2019, passed by a learned Single Judge in W.P.No.4840 of 2019, whereby the learned Single Judge has directed the respondent authorities not to interfere with the possession of the petitioner over the subject land except in accordance with the due procedure laid down by law.

The learned Government Pleader for Fisheries, appearing on behalf of the appellant, submits that there were certain facts, which were mentioned before the learned Single Judge. However, the learned Single Judge has not noted the said facts in the impugned order. Therefore, the impugned order deserves to be set aside by this Court.

In catena of cases, the Hon'ble Supreme Court has opined that where contentions raised by a party are not reflected in the impugned order, the party is required to file a review petition before the concerned Judge. Once this was pointed to the learned counsel for the appellant, he seeks the liberty to file a review petition before the learned Single Judge.

The liberty so prayed for is hereby granted; the Writ Appeal stands disposed of. There shall be no order as to costs.

The miscellaneous petitions pending, if any, shall stand closed.

RAGHVENDRA SINGH CHAUHAN, CJ

DR. SHAMEEM AKTHER, J

07th August, 2019

Note: Issue C.C tomorrow

JSU

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