

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.22688 OF 2019

DATED :18.10.2019

Between :

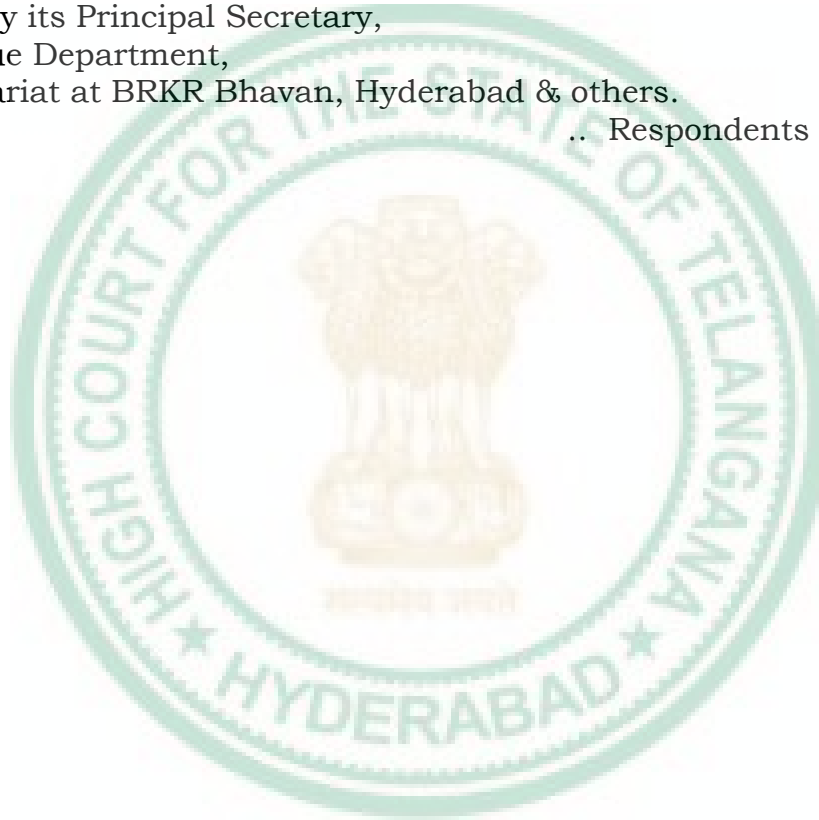
Godi Ravi Kumar S/o.Muralidhar Rao,
Aged about 46 yrs, Occu : Business,
R/o.18-114, Road No.5, Hanumanpet,
Malkajgiri, Hyderabad & another.

.. Petitioners

And

The State of Telangana,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat at BRKR Bhavan, Hyderabad & others.

.. Respondents



This court made the following :

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.22688 OF 2019

ORDER :

Heard learned counsel for the petitioners and learned Government Pleader for Revenue for respondents 1 and 2.

2. Aggrieved by the Award passed by the Arbitrator in ABR/CF.No.63 of 2018 on the file of Deputy Registrar of Chits O/o.District Registrar of Chits (South), Erragadda, Hyderabad petitioner preferred Appeal No.4783/2019 and also filed application for grant of stay of Arbitration Award. Alleging inaction in the appeal preferred, this Writ Petition is filed.

3. According to learned counsel for the petitioners, the Award was an exparte Award, without issuing notice to petitioners and without following due process. Further the chit-fund company filed E.P.No.589 of 2018 for enforcement of the Award. Petitioner filed C.R.P.No.1137 of 2019 challenging the proceedings in E.P.No.589 of 2018. This Court by order dated 29.04.2019 granted stay up to 30.07.2019 but subsequently, the said C.R.P., was dismissed. In view thereof, the Chit-Fund company is proceeding against the petitioners in E.P., and unless and until appeal is decided, grave prejudice would be caused to the petitioners.

4. Having regard to the fact that petitioners have already preferred appeal and the same is pending consideration of the appellate authority, without expressing any opinion on merits, the Writ Petition is disposed of directing the appellate Authority to dispose of the appeal with prior notice to the petitioners and the

respondent-Chit Fund company, as expeditiously as possible, preferably within a period of eight (8) weeks from the date of receipt of copy of this order. If for any reason the appeal cannot be disposed of, the appellate Authority shall consider the interlocutory application filed by the petitioners for stay of the Award and any other interlocutory applications, within a period of three weeks from the date of receipt of copy of this order, after affording due opportunity to both parties. Pending miscellaneous petitions, if any, shall stand closed.

18th October, 2019
Rds

P.NAVEEN RAO,J

