

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 24964 of 2019

ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Revenue and with their consent the writ petition is taken up for disposal at the stage of admission itself.

2. Petitioner claims to be owner and in possession of land to an extent of Ac.4.00, Vadthal village, Mudhol mandal, Nirmal district. Petitioner claims that 5th respondent tried to interfere with his possession, therefore, he filed OS No. 11 of 2017 on the file of the Junior civil Judge at Bhainsa and same was decreed on 10.8.2017 granting injunction against 5th respondent. Petitioner now alleges that in the very same land, respondent authorities have taken up construction of two bed room houses, without following due process. Hence, this writ petition.

3. When the matter is taken up, written instructions furnished to the learned Government Pleader by District Panchayat Raj Engineer dated 10.11.2019 were placed before this Court. Reading of the letter would disclose that petitioner represented to the officials along with copy of the decree in O S No. 11 of 2017 and on perusal of the decree, directions were issued to the Deputy Executive Engineer (PR) Mudhole to stop the work immediately and to pursue the matter with the revenue officials for further action and accordingly the work was stopped.

4. Thus, as of now, the apprehension expressed by the petitioner does not survive and writ petition is liable to be disposed of. However it is made clear that it is open to the respondent authorities to verify the status of the land from the revenue authorities and take

further steps as warranted by law and this order does not come in the way of the claim of 5th respondent herein.

5. Subject to above, the writ petition is disposed of. No costs. Miscellaneous petitions, if any pending, are closed.

DATE: 14-11-2019
TVK

P NAVEEN RAO,J



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