

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.29081 of 2019

ORDER:

The present writ petition is filed questioning action of the 2nd respondent in not disposing of the interlocutory application filed in an unnumbered appeal of the year 2017, seeking to set aside the Panchanama dated 05.07.2012 in LTR Case No.197/07/CHG.

2. It is the case of the petitioner that, the petitioner filed an appeal along with an application for stay before the 2nd respondent against the order, dated 29.06.2011, passed by the 3rd respondent, in LTR Case No.197/07/CGH. Since the 2nd respondent was not passing orders either in the appeal or in the stay application, the petitioner, on an earlier occasion, approached this Court by way of W.P.No.26550 of 2018, and by its order, dated 30.07.2018, this Court directed the 1st respondent therein, who is the 2nd respondent in the present writ petition, to dispose of the appeal filed by the petitioner in accordance with law and further directed the parties to maintain *status quo*, over the subject property, till disposal of such appeal.

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

4. It is submitted by the learned counsel for the petitioner that the subject appeal is pending on the file of the 2nd respondent since 30.01.2017 and despite this Court directing the appellate authority to dispose of the said appeal, no steps have been taken in that regard.

5. In the light of the above submission of the learned counsel for the petitioner and since the pendency of the appeal is not disputed by the learned Government Pleader for Social Welfare, this Court is of the view that a direction needs to be given to the 2nd respondent to dispose of the appeal itself within a time frame.

6. In view of the same, the writ petition is disposed of, directing the 2nd respondent to dispose of the appeal itself filed by the petitioner against the order dated 29.06.2011 passed in LTR Case No.197/07/CHG as expeditiously as possible, and in any event, not later than three months from the date of receipt of a copy of this order.

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

Date:31.12.2019

GJ

JUSTICE T.VINOD KUMAR