

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.46389 OF 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the order, dated 10.08.2018, passed by the 1st respondent restraining the petitioner from entering into further transactions in connection with the land admeasuring Ac.1.00 guntas in Survey No.3182 of Devathalakatta, Nizamabad District, pending disposal of appeal No.A3/7368/2017, as arbitrary and illegal.

2. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue appearing for respondents 1 to 3. Perused the record.

3. Sri Vedula Venkata Ramana, learned Senior Counsel appearing for the petitioner, would submit that the 1st respondent-Revenue Divisional Officer, Nizamabad District, has passed the impugned order, wherein it is mentioned that no further transaction shall take place in respect of the land admeasuring Ac.3.20 guntas in Survey No.3182 situated at Devathalakatta Village, Nizamabad District, until further orders.

4. As seen from the material placed on record and the submissions made, the 1st respondent-Revenue Divisional Officer, Nizamabad District, has no jurisdiction to pass the impugned order. Therefore, the impugned order passed restraining the petitioner from entering into the further transaction over the disputed property is liable to be set aside.

5. In the course of submissions, it is brought to the notice of this Court that though the appeal was filed in the year 2017, in view of pendency of the writ petition, the same is not being disposed of.

6. Under these circumstances, the learned Revenue Divisional Officer, Nizamabad District, is directed to dispose of the appeal pending in file No.A3/7368/2017, expeditiously, preferably within a period of three (3) months from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is allowed setting aside the order, dated 10.08.2018, passed by the 1st respondent. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

Dr. SHAMEEM AKTHER, J

APRIL 24, 2019
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Date:24.04.2019

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