

HON'BLE MR. JUSTICE J. SREENIVAS RAO

WRIT PETITION No.27457 OF 2022

ORDER:

Heard the learned counsel for the petitioner and learned Assistant Government Pleader for Forest representing respondent Nos. 1 to 4.

1. The learned counsel for the petitioner filed Memo *vide* USR No.2333 of 2023 dated 06.01.2023 stating that 5th respondent in this writ petition is not a necessary party and given up his claim against him.

2. The petitioner filed this writ petition questioning the action of the respondent Nos. 1 to 4, in trying to dispossess him from the Plot in Sy.No.150/8 to an extent of Ac.0.03 gts or equivalent to 242 sq. yards bearing H.No.2-2-176/1 situated in Chuchupalli Village and Mandal, Bhadradi Kothagudem District.

3. The learned counsel for the petitioner submits that against the orders in LTR Case No.22/2019/CCP dated 09.02.2021 passed by the 3rd respondent/Spl. Deputy Collector, Tribal Welfare, Bhadrachalam, Bhadradi-Kothagudem District, the petitioner has already filed appeal before the 2nd

respondent-Addl. Agent to the government, Bhadradri-Kothagudem District & Project Officer, ITDA, Bhadrachalam, Bhadradri-Kothagudem District and the said appeal is pending before the Appellate Authority. When the statutory appeal is pending before the Appellate Authority, the official respondents are trying to dispossess the petitioner from the subject land.

4. On the other hand, the learned Assistant Government Pleader representing official respondents submit that the Government has already taken possession of the subject property by conducting a panchanama on 07.03.2022 and the property is within the possession of the respondents and the question of dispossession of the petitioner from the subject property does not arise.

5. Without going into merits or otherwise, the statutory appeal filed by the petitioner is pending against the orders in LTR Case No.22/2019/CCP, dated 09.02.2021 before the respondent No.2, this Court deems it appropriate to direct the respondent No.2 to consider and dispose of the appeal filed by the petitioner and pass appropriate orders on merits and in accordance with law, within a period of three months from the

date of receipt of a copy of this order, after affording reasonable opportunity to the parties to the lis; and till then the official respondents are directed not to allot/assign the subject property, to the third parties.

6. Accordingly, with the above direction the writ petition is disposed of. No order as to costs.

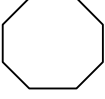
Miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

JUSTICE J. SREENIVAS RAO

09th, January, 2023

Skj

HON'BLE SRI JUSTICE J. SREENIVAS RAO



WRIT PETITION No.27457 OF 2022

Date : 09-01-2023

Skj