

HIGH COURT OF ANDHRA PRADESH : AT AMARAVATI

MAIN CASE No: **C.M.A.No.293 of 2023**

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
1	08.08.2023	<u>DR.KMR,J</u> <u>I.A.No.02 of 2023</u> This application is filed seeking to dispense with the filing of the certified copy of the order dated 30.06.2007 passed in O.A.No.36 of 2005 on the file of Endowments Department, Guntur. For the reasons mentioned in the accompanied affidavit filed along with this application, this application is allowed and filing of the certified copy of the order dated 30.06.2007 passed in O.A.No.36 of 2005 on the file of Endowments Department, Guntur is dispensed with. <u>DR.KMR,J</u> TM/BMS <u>I.A.No.01 of 2023</u> This application is filed seeking to condone the delay of 5678 days in filing the Civil Miscellaneous Appeal(CMA). Issue notice to the respondent. Learned counsel for the petitioner is permitted to take out personal notice to Respondent by RPAD and file proof of service into the Registry. <u>DR.KMR,J</u>	

		<u>I.A.No.03 of 2023</u> This application is filed seeking to stay all further proceedings pursuant to the order dated 30.06.2007 in O.A.No.36 of 2005 on the file of Endowments Department, Guntur. The learned counsel for the appellant submits that Sri Siddabathuni Komalangamma filed O.A.No.36 of 2005 before the Deputy Commissioner(for short “The Tribunal”) claiming that the said land was endowed to their satram and the petitioner/appellant and other occupants are encroachers. The said petition was allowed by the Tribunal vide order dated 30.06.2007, directing the appellant to evict from the subject premises within 30 days from the date of receipt of the order. Aggrieved by the same, appellant filed Revision Petition No.54 of 2007 before the Regional Joint Commissioner of Endowments, Tirupathi, Chittoor District and also filed interlocutory application seeking stay of execution of the order under revision. But no orders are passed in the stay application. Aggrieved by the action of the Regional Joint Commissioner of Endowments, Tirupathi, Chittoor District in not passing interim orders pending disposal of revision, W.P.No.20318 of 2007 was filed before this Court and the same was disposed of <i>vide</i> order dated 27.09.2007 directing to maintain <i>status-quo</i> and further directed to dispose of the revision. Thereafter, the said Revision Petition	
--	--	---	--

		was closed and W.P.No.7554 of 2008 was filed before this Court by the appellant questioning the orders passed in O.A.No.36 of 2005 dated 30.06.2007 and in R.P.No.54 of 2007 dated 22.12.2007. This Court has directed both the parties to maintain <i>status-quo</i> for a period of two(2) weeks. The said interim order is being extended from time to time and thereafter it was extended until further orders. While the matter stood thus, the Division Bench of this Court dismissed the said Writ Petition granting liberty to the petitioner/appellant to prefer Civil Miscellaneous Appeal under Section 84(2) of the Act. Thereafter, when the Writ Petition was listed under the caption “for being mentioned”, on 05.01.2023, the interim order granted earlier was extended for a period of two months from 05.01.2023 as there was a <i>status-quo</i> order granted in Writ Petition and it was extended till disposal of the Writ Petition. In view of the same, there shall be stay of all further proceedings pursuant to the order dated 30.06.2007 in O.A.No.36 of 2005 including execution proceedings. DR.KMR,J TM/BMS <u>C.M.A.No.293 of 2023</u> Post the matter on 05.09.2023 DR.KMR,J TM/BMS	
--	--	---	--

--	--	--	--