

IN THE HIGH COURT OF ANDHRA PRADESH::AMARAVATI

THE HON'BLE SRI JUSTICE B. KRISHNA MOHAN

WRIT PETITION No.3864 of 2023

Between:

Pattipati Bala Guravaiah, S/o Venkateswarlu,
Aged 67 years, Occ: Cultivation,
R/o. Venkatachalampalli Village,
Darsi Mandal, Prakasam District.

..... Petitioner

And

The State of Andhra Pradesh,
Rep. by its Principal Secretary to Government,
Revenue Department, Secretariat, Velagapudi,
Amaravati, Guntur District and 3 others.

..... Respondents

ORDER:

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

2. This writ petition is filed questioning the action of the 2nd respondent in not disposing of the Appeal No.391/22, pending on its file, filed under Section 5 (3) of the Rights in Land and Pattadar Pass Books Act, 1971 where the 4th respondent is also the contesting respondent in the said appeal.

3. Since the 4th respondent is already the contesting respondent before the Appellate Authority, the issuance of notice in this writ petition is dispensed with.

4. Learned counsel for the petitioner submits that aggrieved by the orders of the 3rd respondent, the petitioner preferred an appeal in ROR Appeal No.391/22 on the file of the 2nd respondent against the 4th respondent as well as the 3rd respondent herein, showing them as party respondents in the said appeal. Since the said appeal is not disposed of, the petitioner's rights are being affected. Hence, this writ petition.

5. On the other hand, the learned Assistant Government Pleader for Revenue appearing for the respondent Nos.1 to 3 submits that since the petitioner already preferred an appeal and the same is pending before the 2nd respondent, it would be dealt with by following the due procedure.

6. In view of the above said facts and circumstances, the 2nd respondent is directed to consider and dispose of the appeal preferred by the petitioner in ROR Appeal No.391/22 as expeditiously as possible, strictly in accordance with the law, by hearing all the parties concerned, specifically the petitioner and the 4th respondent herein, within a period of four (04) months from the date of receipt of this order.

Accordingly, the Writ Petition is disposed of. No costs.

As a sequel, Miscellaneous Petitions pending, if any, shall stand closed.

B. KRISHNA MOHAN, J

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16.02.2023

GSP