

K. Ram Reddy Vs. Station Commandant and Executive Officer, Cantonment and ors.

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Court : Andhra Pradesh

Decided On : Sep-13-2005

Reported in : 2005(6)ALT697

Judge : Bilal Nazki, A.C.J. and ;R. Subhash Reddy, J.

Acts : Public Premises (Eviction of Unauthorized Occupants) Act, 1971

Appeal No. : Writ Appeal No. 1669 of 2005

Appellant : K. Ram Reddy

Respondent : Station Commandant and Executive Officer, Cantonment and ors.

Advocate for Def. : Deepak Bhattacharjee, Adv. for Respondent No. 1, ;A. Rajasekhar Reddy, Counsel for Respondent No. 2 and ;G.P. for Revenue for Respondent Nos. 3 and 4

Advocate for Pet/Ap. : V. Rama Krishna Reddy, Adv.

Judgement :

Bilal Nazki, A.C.J.

1. A show cause notice has been issued to the writ petitioner-appellant in terms of Public Premises (Eviction of Unauthorized Occupants) Act, 1971. He challenged

the said notice in the writ petition, which has been dismissed. Hence, this appeal.

2. We feel that the impugned notice is only a show cause notice, and all defences, which are available to the appellant, can be taken before the Estate Officer. Even if the appellant is not able to satisfy the Estate Officer, an appeal is available against the order of eviction passed by the Estate Officer.

3. In these circumstances, we do not think it is necessary for us to intervene in the matter at this stage. The Learned Counsel for the appellant submits that the time to give a reply to show cause notice ends to day. Therefore, in the circumstances of the case, we grant two weeks time to the appellant to file a reply to the show cause notice. For a period of two weeks from today, appellant may not be evicted.

4. Writ Appeal is, accordingly, disposed of. No costs.

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