

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD  
(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF MARCH  
TWO THOUSAND AND EIGHT

PRESENT  
**THE HON'BLE MR JUSTICE NOOTY RAMAMOHANA RAO**  
**WRIT PETITION No.6217 of 2008**

Between:

T.N.Kambhati S/o.late N.G.Kambhati  
R/o.6-2-20 New Boiguda Secunderabad-3

.....  
**PETITIONER**

AND

- 1 The Officer Commending in Chief Southern Command  
Ministry of Defence, Pune, Maharastra
- 2 Secunderabad Cantonment Board  
Rep. by the Executive Officer Sec-Bad
- 3 Mr G.V.Krishna Reddy S/o.late G.Rosi Reddy  
Flat No.18 Avanthi Chambers Balamrani Secunderabad

.....**RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate writ, order or direction or directions directing the 1st respondent to act in accordance with law and to dispose of the Appeal filed by the 3rd respondent in Appeal Lr No.SCB/EB Appeal No.105 after hearing also forthwith in accordance with the law and pass

**Counsel for the Petitioner: MR.V.SRINIVAS**

**Counsel for Respondent No.1: MR.A.RAJASHEKAR REDDY  
(ASST SOLICITOR GEN)**

**Counsel for Respondent No.2: Mr.Y.V.RAVI PRASAD**

**Counsel for Respondent No.3: ..**

**The Court made the following :**

**ORDER:**

Though this writ petition has been instituted seeking a writ of *mandamus* directing the first respondent, the Officer Commanding-in-Chief, Southern Command, to act in accordance with law and to dispose of the appeal filed by the third respondent on 23.05.2007, the writ petition need not be admitted and confined to pendency in this Court.

The appeal preferred by the third respondent herein against the order, dated 16.04.2007, passed by the Executive Officer of the Secunderabad Cantonment Board is pending ever since 08.06.2007.

In terms of Section 343 of the Cantonment Act, 2006, the appeal is required to be disposed of within three months. Since the appeal is pending for nearly nine months, it is appropriate that the same be taken up for hearing and decided at the earliest at any rate on or before 30.06.2008, after hearing the petitioner as well as the third respondent and the Secunderabad Cantonment Board.

With this, the writ petition stands disposed of at the admission stage. No costs.

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**NOOTY RAMAMOHANA RAO, J**

Date: 25.03.2008

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