

Hon'ble Alok Singh, J.

Mr. Rajat Mittal, Advocate for the petitioner.

Mr. S. S. Chauhan, Deputy Advocate General for the State of Uttarakhand / respondents nos. 1 and 3.

Undisputedly, against the sealing order dated 28.06.2014 appeal no. 40/2013-14 (Abhishek Thakur Vs. Doon Ghati Special Area Development Authority) is pending disposal before respondent no. 3 - Chairman, Special Area Development Authority / Commissioner, Garhwal Division and appeal is fixed for final hearing on 06.08.2014.

Learned counsel for the petitioner submits that Appellate Authority may be directed to decide the appeal at its own merit, in accordance with law within such time, as this Court may deem fit and petitioner may be permitted to raise all the legal and factual points available to him before the Appellate Authority.

Present petition, thus, stands disposed of with direction that Appellate Authority shall make every endeavour to decide the appeal at its own merit in accordance with law on the date fixed i.e. on 06.08.2014 or within 30 days, thereafter positively. Petitioner shall be at liberty to raise all the legal and factual points available to him before the Appellate Authority at the time of final hearing of the appeal.

CLMA No. 8156 of 2014 stands disposed of.

(Alok Singh, J.)

31.07.2014