HON'BLE SRI JUSTICE R. SUBHASH REDDY
AND
HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

WRIT APPEAL No.133 of 2013

JUDGMENT : **(Per Justice R. Subhash Reddy)**

This writ appeal under Clause 15 of the Letters Patent is filed by respondents 1 to 3 in writ petition No.37487 of 2012, aggrieved by the order of the learned Single Judge, dated 11.12.2012, passed in W.P.M.P.No.47572 of 2012.

2. The writ petition in W.P.No.37487 of 2012 is filed with the prayers which read as under :

> "to issue an appropriate Writ, Direction or Order, particularly one in the nature of writ of Certiorari and Prohibition;
>
> (i) Quash the impugned Provisional Attachment Order being PAO.No.4/2012 dated 18.10.2012 in ECIR/01/HZO/2009 issued by Respondent No.1
>
> (ii) Quash all consequential proceedings to the impugned Provisional Attachment Order, including the Notice issued by Respondent No.3 dated 29th October 2012 in OC No.161 of 2012.
>
> (iii) Prohibit Respondents 1 and 3 from exercising jurisdiction under the Prevention of Money Laundering Act, 2002, pursuant to the impugned Provisional Attachment Order being PAO.No.4/2012 dated 18.10.2012 in ECIR/01/HZO/2009.

(iv) Declare that the money in the fixed deposits provisionally attached in the impugned Provisional Attachment Order being PAO No.4/2012 dated 18.10.2012 in ECIR/01/HZO/2009 issued by Respondent No.1 does not represent proceeds of crime.

(v) And pass such other order(s) as this Hon'ble Court deems fit and proper in the extraordinary circumstances of the case in the interests of justice."

3. By way of miscellaneous petition in W.P.M.P.No.47572 of 2012, the 1st respondent-Company sought stay of impugned provisional attachment order issued by the 1st appellant herein, in PAO.No.4/2012, dated 18.10.2012 in ECIR/01/HZO/2009, and the consequential show cause notice bearing No.161/2012, dated 29.10.2012, issued by the adjudicating authority under the provisions of the Prevention of Money Laundering Act, 2002. The learned Single Judge, by order dated 11.12.2012, allowed the aforesaid miscellaneous petition and stayed all further proceedings pursuant to the attachment order dated 18.10.2012, including the notice dated 29.10.2012.

4. Before dealing with the contentions advanced by the learned counsel on both sides, we deem it appropriate to give necessary background of the 1st respondent-Company, for appropriate adjudication of the matter.

5. The 1st respondent is a Company registered under the Companies Act, 1956 and is a listed Company, having about 3 lac shareholders. It is a leading information technology solutions provider, offering a comprehensive range of IT consulting services to its customers, including application development and maintenance services, consulting and enterprise business solutions, extended engineering solutions, infrastructure management services and business process outsourcing services. The Company provides services to customers in various industries, including the manufacturing, banking, financial services and insurance, telecommunications, infrastructure, media and entertainment, semiconductors, healthcare and life sciences, retail, transportation, public sector and energy and utilities. The Company was initially promoted by Sri B.Ramalinga Raju and from time to time, the Company is grown very fast and has become the 4th largest I.T. Company in India with about 53,000 employees and having clients in about 60 countries of the world. The reputation and credibility of the Company has suffered drastically in view of certain steps taken by the Board of Directors during the period when Sri B.Ramalinga Raju was Chairman of the Company, when they approved a proposal to acquire a stake in two Companies controlled and managed by the near relations of the erstwhile Chairman. It appears, on 07.01.2009, the

then Chairman Sri Raju had addressed a letter to the Board of Directors, SEBI and Stock Exchanges, wherein, it is alleged, he had admitted that the financial statements of the Company include non-existent cash and bank balances, reflect amounts as accrued interest which are fictitious, understate the Company's liabilities while overstating its revenues and profit margins. The impact of the manipulation of the accounts runs into hundreds of crores of rupees.

6. After letter dated 07.01.2009 was addressed as stated above, it impacted the stock market, by which, on a single day, the share price crashed from Rs.188/- to Rs.38.40. Immediately, the Union of India started taking remedial steps in public interest and moved the Company Law Board, A Principal Bench in New Delhi, by invoking provisions of Sections 388B, 397, 398, 402 and 408 of the Companies Act, 1956, for grant of several interim reliefs urgently. Based on such application, the Company Law Board by order dated 09.01.2009, has passed interim orders suspending the then existing Board of Directors and issued directions to the Central Government to constitute a fresh Board of the Company with not more than 10 persons of eminence as Directors, and further held that such Board shall be entitled to exercise and discharge all powers vested in the Board by the Articles and the Act. Further directions are issued that the newly

constituted Board shall meet within 7 days thereafter and take immediate action necessary for running the Company in proper lines.

7. Pursuant to such series of directions issued by the Company Law Board, Union of India nominated eminent persons on the Board of the Company and the Union of India has also moved Company Petition No.1 of 2009, wherein, M/s.Satyam Computer Services Ltd. has filed Company Application No.84 of 2009 under Sections 388B, 397, 398, 402 and 408 of the Companies Act, 1956, seeking several directions. On such application, the Company Law Board has passed orders on 19.02.2009. The operative portion of said order reads as under :

> "Having convinced myself that, in the interest of the company, its employees, shareholders, customers and in the larger public interest, further induction of long term funds through induction of a strategic investor is necessary, I authorize the Board of the Company:
>
> 1. To pass a resolution to amend the capital clause of the Memorandum of Association to increase the authorized equity share capital of the company from Rs.160 crores comprising of 80 crores equity shares of Rs.2 each to Rs.280 crores comprising of 140 crores equity shares of Rs.2 each. The resolution so passed shall be deemed to be a one passed in a general meeting in terms of Section 17 of the Act.

2. To pass a resolution authorizing itself to make a preferential allotment of equity shares at par or at a premium and the said resolution shall be deemed to be a special resolution passed in a general meeting in terms of Section 81(1A) of the Act.

3. To induct a strategic investor/s, subject to:

    1. Devising a plan which provides for a transparent, open and competitive process without furthering the interests of any particular acquirer.
    2. Obtaining of requisite approvals from SEBI in terms of SEBI Takeover Code.
    3. The process of selection being transparent, open and by way of a competitive price bid auction, overseen by a retired Judge of the Supreme Court/a former Chief Justice of India.
    4. Obtaining the approval of this Board before actually allotting the shares on a preferential basis, with full details on the process adopted in selecting the strategic investor/s."

8. From the above series of directions issued, it is clear that the Company Law Board has recognized the need for long term funding, and for that purpose, to induct a new promoter into the Company to enable infusion of fresh capital into the Company. Pursuant to the said order of Company Law Board, the Board nominated by

Government of India has initiated process for selection of a strategic investor for the Company by way of competitive bidding, and in the bid documents also, it was made clear that a capital infusion of Rs.1000 Crores was required, of which, Rs.700 Crores will be used to repay the existing loans. Several bidders have participated in the auction and M/s.Venturbay Consultants Private Ltd. was declared as successful bidder. The Former Chief Justice of India Hon'ble Sri Justice S.P.Barucha has supervised the auction process and certified that auction was fair and transparent and after auction proceedings are concluded, the Company Law Board has confirmed the selection of M/s.Venturbay as promoter of the Company and directed it to deposit a sum of Rs.1756 Crores into the Company and also enable infusion of additional amount of Rs.1152 Crores through an open offer under SEBI Regulations. Subsequently, on the application filed under Sections 391 and 394 read with Sections 78 and 100 to 104 of Companies Act, 1956, the Scheme of Amalgamation and Arrangement between Venturbay Consultants Private Limited, Satyam Computer Services Limited, C & S System Technologies Private Ltd., Canvasm Technologies Limited, Mahindra Logisoft Business Solutions Limited and Tech Mahindra Limited and their respective shareholders and creditors, is also approved by the Company Court, subject to condition that pending prosecutions and investigations against the former Chairman and others shall continue and the attachment order by the Enforcement Directorate and other institutions shall continue till they are varied or vacated by the competent authority. The other conditions are not relevant for the purpose of this appeal.

9. Based on the allegations made against the erstwhile Chairman and Members of the Board, Central Bureau of Investigation has registered a case, completed investigation and filed final report on 07.04.2009 and supplemental charge sheet on 22.11.2009 against Sri B.Ramalinga Raju and other Directors on the Board for the alleged offences under Sections 120-B read with Sections 420, 419, 467, 468, 471, 477-A and 201 of IPC.

10. Consequent to filing of charge sheets referred above, the 1st appellant-Directorate has initiated proceedings under Section 5 of the Prevention of Money Laundering Act, 2002 mainly on the allegation that the erstwhile promoters of the Company have floated a private Company by name M/s.SRSR Holdings Pvt. Ltd. and all the shares held in the 1st respondent-Company in the name of Sri B.Ramalinga Raju, Sri B.Rama Raju, Smt.B.Nandini Raju and Smt.B.Radha Raju etc., were transferred to the said Company. M/s.SRSR Holdings started pledging the shares of the above said persons with Non-Banking Finance Companies and loans

were obtained in the name of loan Companies to the tune of Rs.1425 Crores and the same was transferred to the account of the 1st respondent/writ petitioner Company by the 37 front Companies and an amount of Rs.194.6 Crores was returned by the 1st respondent/Company to 15 out of the above 37 Companies, leaving an outstanding liability of Rs.1230.4 Crores still subsisting in the 1st respondent/Company. Further, alleging that out of the said proceeds, an amount of Rs.822 Crores has been layered and finally parked with the 1st respondent/Company by the 34 front Companies and these funds were later used by the 1st respondent/Company for meeting their day-to-day expenses like payment of salaries etc., as such, the said money constitute proceeds of Crime within the meaning of Section 2(1)(u) of Prevention of Money Laundering Act, 2002, as such, ordered for provisional attachment of the properties equivalent to Rs.822 Crores which are in the form of fixed deposit receipts in Andhra Bank, ING Vysya Bank, IDBI Bank and Bank of Baroda held by 1st respondent-Company. Consequent to said orders, the adjudicating authority under the provisions of the Prevention of Money Laundering Act, 2002, has issued consequential notice dated 29.10.2012, to show cause as to why such property should not be declared to be the property involved in money laundering and could not be confiscated to the Central Government.

11. Assailing validity of such provisional attachment order dated 18.10.2012, issued in ECIR/01/HZO/2009 by the 1st appellant and the consequential order issued by the 3rd appellant/authority, the writ petition has been filed.

12. Mainly, in the writ petition, it is the case of 1st respondent that the money which is provisionally attached, is the money infused by the strategic investor consequent to the steps taken by the Union of India, as such, no proceedings can be initiated under the provisions of the Prevention of Money Laundering Act, 2002 against the 1st respondent/Company, which is the victim of crime. Further, it is pleaded that the notice issued by the Enforcement Directorate is contrary to the mandatory procedure contemplated under Sections 5(1)(c) and 8(1) of the said Act itself. It is the case of the writ petitioner that in the absence of any material so as to attract the provision under Section 5(1)(c) of the Act, such drastic powers ought not to have been invoked. The learned Single Judge, by order dated 11.12.2012, by recording a finding that the appellate authority, except baldly reproducing the language of Section 5(1)(c) of the Money Laundering Act, 2002 in sub-para (j) of para 18 of the provisional attachment order, has failed to detail, as to what reasons he had, to believe that the new

management of the petitioner/Company which was brought into picture after a laborious exercise by none other than the Government of India itself, would either conceal, transfer or deal in any manner with the alleged proceeds of crime which may result in frustrating any proceeding under the Prevention of Money Laundering Act, 2002. The learned Single Judge also found that even the adjudicating authority has issued notice, mechanically exercising the jurisdiction without examining whether such deposits will be construed as proceeds of Crime or not. The learned Single Judge has passed detailed order after hearing both sides on 11.12.2012, as against which, this writ appeal is preferred on 04.01.2013, but there was no interim order all through.

13. Heard Sri Rajeev Avasthi, learned Special Counsel for 1st appellant/Enforcement Directorate, Sri S.Ravi, learned Senior Counsel appearing for 1st respondent and Sri Avinash Desai, learned counsel appearing for the impleaded respondent No.7.

14. Though detailed arguments are advanced and the learned counsel for the parties have also placed reliance on some judgments in support of their arguments, as much as the writ petition is still pending and as this writ appeal is filed only against the interlocutory order, we confine the consideration only to the extent whether the

order passed by the learned Single Judge to be continued pending disposal of the writ appeal or not.

15. The Prevention of Money Laundering Act, 2002 is enacted with an object of preventing the money laundering and the Act provides for confiscation of property derived of crime etc. Chapter-III of the Act deals with Attachment, Adjudication and Confiscation and these powers are conferred under Sections 5 to 11 of the Act. For the purpose of disposal, we refer to the provision under Section 5 of the Act, which reads as under :

> "5. Attachment of property involved in money-laundering:
>
> (1) Where the Director, or any other officer not below the rank of Deputy Director authorized by him for the purpose of this section, has reason to believe (the reason for such belief to be recorded in writing), on the basis of material in his possession, that-
>
> (a) any person is in possession of any proceeds of crime;
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> (b) such person has been charged of having committed a scheduled offence;
>
> (c) such proceeds of crime are likely to be concealed, transferred or dealt with in any manner which may result in frustrating any proceedings relating to confiscation of such proceeds of crime under this Chapter,
>
> he may, by order in writing, provisionally attach such property for a period not exceeding one hundred and fifty days from the date of the order, in the manner provided in the Second Schedule to the Income-tax Act, 1961 (43 of

1961), and the Director or the other officer so authorized by him, as the case may be, shall be deemed to be an officer under sub-rule (e) of Rule 1 of that Schedule:

PROVIDED that no such order of attachment shall be made unless, in relation to the scheduled offence, a report has been forwarded to a Magistrate under Section 173 of the Code of Criminal Procedure, 1973 (2 of 1974), or a complaint has been filed by a person, authorized to investigate the offence mentioned in the Schedule, before a Magistrate or court for taking cognizance of the scheduled offence, as the case may be:

PROVIDED FURTHER that, notwithstanding anything contained in clause (b), any property of any person may be attached under this section if the Director or any othr officer not below the rank of Deputy Director authorized by him for the purpose of this section has reason to believe (the reasons for such belief to be recorded in writing), on the basis of material in his possession, that if such property involved in money-laundering is not attached immediately under this Chapter, the non-attachment of the property is likely to frustrate any proceeding under this Act.

(2) The Director, or any officer not below the rank of Deputy Director, shall immediately after attachment under sub-section (1), forward a copy of the order, along with the material in his possession, referred to in that sub-section, to the Adjudicating Authority, in a sealed envelope, in the manner as may be prescribed

> and such Adjudicating Authority shall keep such order and material for such period as may be prescribed.
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> (3) Every order of attachment made under sub-section (1) shall cease to have effect after the expiry of the period specified in that sub-section or on the date of an order made under sub-section (2) of section 8, whichever is earlier.
>
> (4) Nothing in this section shall prevent the person interested in the enjoyment of the immovable property attached under sub-section (1) from such enjoyment.
>
> *Explanation*: For the purposes of this sub-section, "person interested", in relation to any immovable property, includes all persons claiming or entitled to claim any interest in the property.
>
> (5) The Director or any other officer who provisionally attaches any property under sub-section (1), shall, within a period of thirty days from such attachment, file a complaint stating the facts of such attachment before the Adjudicating Authority."

Section 8 of the Act deals with adjudication by the adjudicating authority on receipt of complaint under sub-section (5) of Section 5 of the Act or on the applications filed under sub-section (4) of Section 17 or under sub-section (10) of Section 18 of the Act.

16. From a reading of the provisions under Sections 5 and 8 of the Act, it is clear that under Section 5 of the Act, where the Director or any other officer not below the rank of Deputy Director authorized for the purpose of this Section, has a reason to believe (the reason for such belief to be recorded in writing) on the basis of material in his possession that any person is in possession of any proceeds of crime, such person has been charged of having committed a scheduled offence, such proceeds of crime are likely to be concealed, transferred or dealt with in any manner which may result in frustrating any proceedings relating to confiscation of such proceeds of crime under this Chapter, he is empowered provisionally to pass orders to attach such property for a period not exceeding 150 days in the manner ordered in the Second Schedule to the Income-Tax Act, 1961. So, from a reading of the aforesaid provisions, it is clear that the competent authority, firstly, must have a reason to believe and such reasons are also required to be recorded in writing not only to the effect that a person is in possession of the proceeds of Crime and such person has been charged for having committed an offence, but also to record specific reasons that such proceeds are likely to be concealed, transferred or dealt with in any manner which may result in frustrating any proceedings relating to confiscation of such proceeds of crime under this Chapter. Similarly, to invoke powers under Section 8 of

the Act, if the adjudicating authority has reason to believe that such person has committed an offence under Section 3 or is in possession of proceeds of crime, it may serve a notice of not less than thirty days on such person calling upon him to indicate the sources of his income, earning or assets, out of which or by means of which he has acquired the property attached under sub-section (1) of Section 5 of the Act, and only thereupon, he is entitled to issue show cause notice as to why all or any of the properties should not be declared to be the properties involved in money-laundering and confiscated by the Central Government.

17. Having regard to the above said provisions, we have also carefully perused the order passed by the 1st appellant-authority and the consequential notice issued by the adjudicating authority. In this appeal, mainly, it is contended by Sri Rajeev Avasthi, learned counsel appearing for the 1st appellant that the reasons recorded by the learned Single Judge are sufficient for issuance of attachment order and the notice issued by the adjudicating authority is only a notice prepared as per the Regulations framed under the Act. It is further contended that at this stage, there is no reason for the 1st respondent/writ petitioner to approach this Court, instead he ought to have filed reply to the show cause notice before the adjudicating authority. It is submitted that even

after adjudication by the adjudicating authority, there is remedy of appeal before the appellate Tribunal and further appeal to this Court, and in that view of the matter, there is no justifiable reason for suspending the proceedings as ordered by the learned Single Judge. The learned counsel took us to the letter dated 02.05.2013, addressed by the 1st respondent-Company to IDBI bank. Referring to the same, it is submitted that it is manifest from such letter that the 1st respondent is trying to transfer the amounts which were lying in the form of deposits.

18. On the other hand, it is submitted by Sri S.Ravi, learned Senior Counsel appearing for the 1st respondent that the 1st respondent is a Company which is a victim of fraud and no proceedings can lie under the provisions of the Prevention of Money Laundering Act, 2002 against the victims of fraud. It is submitted that in view of the background, steps taken by Government of India and various orders passed by the Company Law Board, the proceedings under the Act itself are initiated misconstruing various provisions of the Act, and by no stretch of imagination, the money which is infused by the new management can be construed as proceeds of Crime. It is contended by the learned counsel that when the nominees of Government of India have come on the Board of the Company, there was no money at all in the Company and in view of urgent need to run the Company

on proper lines, several immediate remedial measures are taken pursuant to orders passed by the Company Law Board. It is submitted that in the order dated 19.02.2009, the Company Law Board, in the interest of Company, its employees and in larger public interest, found that further induction of long term finances through induction of a strategic investor is necessary and accordingly authorized the Board to amend the capital clause of Memorandum of Association to increase the authorized equity share capital of the Company from Rs.160 Crores comprising of 80 Crores equity shares of Rs.2 each to Rs.280 Crores comprising of 140 Crores equity shares of Rs.2 each. The Board is also authorized to make preferential allotment of equity shares at par or at a premium and to induct a strategic investor through the process of selection being transparent, open and by way of competitive price bid auction overseen by a retired Judge of the Supreme Court or a former Chief Justice of India. Accordingly, under the supervision of former Chief Justice of India Hon'ble Sri Justice S.P.Barucha, the investor was selected and it is also certified that such selection was transparent and fair by none less than the former Chief Justice of India. As such, the new management has taken steps to bring money and such money cannot be construed as proceeds of Crime within the meaning of various provisions of the Act. It is further submitted that the 1st respondent/Company is not shown as accused even in the report filed by the CBI under Section 173 of Cr.P.C., so as to proceed against it. It is further submitted that inspite of the mandatory procedure prescribed under the law, proceedings are initiated and attachment orders are passed in a mechanical manner, contrary to the provisions under Sections 5(1)(c) and 8(1) of the Prevention of Money Laundering Act. Further, on the letter dated 02.05.2013, it is submitted by the learned counsel that said letter was addressed to IDBI, requesting to extend the competitive rate of interest at the rate of 9 or 9.1% on the deposits lying with it, when the said Bank was offering only 7%, as such, basing on the said letter, it is not open to the appellants to plead that steps are taken either to conceal or transfer the property within the meaning of Section 5(1)(c) of the Act.

19. On behalf of the impleaded respondent, it is contended by learned counsel Sri Avinash Desai that Ekadanta Greenfields Private Limited is one of the unsecured creditors of M/s.Satyam Computer Services Limited, which owes an amount of Rs.18,58,00,000/- and their claim is also pending consideration before the Court of I-Additional Civil Judge, Secunderabad. It is submitted that the provisional attachment affected the creditworthiness of the impleaded Company and the amounts sought to be attached include the money given as a loan by the impleaded Company to M/s.Satyam

Computer Services Limited.

20. On a perusal of the various orders passed by the Company Law Board, it is clear that once the Chairman of the erstwhile management Sri B.Ramalinga Raju has addressed the letter dated 07.01.2009 to the Board of Directors, SEBI and Stock Exchanges, admitting certain illegalities in the functioning of the Company, immediately, Government of India has jumped into picture and taken steps, and at its instance, the Company Law Board has passed orders suspending the Board of Directors, and secondly, Government of India was directed to nominate eminent persons on the Board of the Company. On further application by the Company, the Board with new management was permitted to select a strategic investor by international bidding, which was undertaken under the supervision of former Chief Justice of India Hon'ble Sri Justice S.P.Barucha and that is how the investor has come into picture.

21. During the course of hearing, it is fairly admitted by the learned counsel for 1st appellant-Directorate that the deposits under attachment were made subsequent to induction of the investor, however, it is submitted that an amount of Rs.822 Crores has been layered and finally parked with the 1st respondent/Company by the 34 front Companies and these funds were later used by the 1st

respondent/Company for meeting the day-to-day expenses like payment of salaries etc., as such, the said money constitutes proceeds of Crime within the meaning of Section 2(1)(u) of Prevention of Money Laundering Act, 2002. We have also perused the provision under Section 2(1)(u) and there is no doubt that if proceeds of Crime are parked, even such money can be dealt with under the provisions of the Act, but in view of the peculiar facts and circumstances of the case and various steps taken by the Union of India itself in the interests of employees, shareholders and its business which is spread-over about 60 countries in the world, can this money be treated as Crime proceeds or not, is doubtful, which is to be decided at the time of final disposal of writ petition. It is also to be noticed that the 1st respondent/Company is not shown as accused in the final report and all the allegations are made against the individuals who were heading and managing its affairs then. Further, from a perusal of the provisions under Sections 5(1)(c) and 8(1) of the Act, it is clear that unless there is material to show that such property/money is likely to be concealed or transferred in any manner which may result in frustrating the proceedings relating to confiscation of such proceeds of Crime, *prima facie*, we are of the view that such attachment runs contra to the language of the said Section itself. As rightly recorded by the learned Single Judge, except reproducing the language of Sections 5(1)

(c) and 8(1) of the Act, the provisional attachment order does not contain any independent material on the basis of which the competent authority has arrived at such conclusion. Even the letter which is addressed by the 1st respondent/Company to IDBI also makes it clear that such letter is only a request made by the 1st respondent/Company claiming competitive rate of interest between 9 and 9.1%, and hence, basing on the said letter, it cannot be said that steps were taken to transfer the money. It is also to be noticed that at first instance, orders are passed by the 1st appellant/Directorate in the form of administrative instructions to the 1st respondent/Company on 10.04.2009 and they have obeyed those instructions, and in the absence of violation of such instructions, there is no reason to pass the order of attachment under Section 5(5) of the Act and also for issuing further notice under Section 8(1) of the Act by the adjudicating authority. It is also brought to our notice that the front Companies have already instituted legal proceedings to recover the so-called loans advanced by them to the 1st respondent/Company and the 1st respondent/Company is contesting the same.

22. Although it is the case of appellants that there is alternative remedy for the 1st respondent/Company to send reply to the adjudicating authority by raising such

objections, but, as one of the appellants itself is the adjudicating authority, who has indicated his mind that the deposits ordered to be attached are proceeds of crime, we are of the view that there is no reason to drive the 1st respondent/Company at this stage, to appear before the adjudicating authority.

23. So far as the claim of the impleaded respondent/Ekadanta Greenfields Private Limited is concerned, their claim for recovery of loan alleged to have lent to M/s.Satyam Computer Services Limited is pending adjudication before the Court of I-Additional Civil Judge, Secunderabad, as such, the claim of such Company cannot be gone into in this appeal.

24. Though certain authorities were relied on by the learned Senior Counsel Sri S.Ravi, as the writ petition is to be disposed of by the learned Single Judge and as this appeal is directed against the interlocutory orders passed in W.P.M.P.No.47572 of 2012, we are of the view that it is not necessary to go into details of such judgments in this appeal. Further, as interim orders are granted by the learned Single Judge as early as on 11.12.2012, and in this appeal, as no interim orders are granted in favour of the appellant, we feel that balance of convenience also lie in continuing the interim orders passed by the learned Single Judge, till the disposal of writ petition.

25. For the aforesaid reasons, this writ appeal is liable to be dismissed and it is accordingly dismissed. No order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

R. SUBHASH REDDY, J

A.SHANKAR NARAYANA, J

31st December 2014
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