

THE HON'BLE SRI JUSTICE DILIP B.BHOSALE

AND

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT APPEAL No.95 of 2015

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P.C: (per the Hon'ble Sri Justice Dilip B.Bhosale)
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Heard learned counsel for the parties.

This writ appeal is preferred against the order, dated 20.01.2015, passed in W.P.M.P.No.578 of 2015 in W.P.No.480 of 2015, whereby the learned Single Judge rejected the prayer for suspension of the order of termination, dated 14.08.2014, issued by respondent No.3, pending the hearing of the writ petition.

The order impugned in the instant appeal reads thus:

“The petitioner herein while working as a Development Officer with the Life Insurance Corporation of India has been terminated on 14.08.2014 and he has also been relieved from the services of the Corporation on 31.12.2014.

In this W.P.M.P., he now seeks suspension of the operation of the said orders.

Unless the petitioner succeeds in the writ petition, by an *ex parte* interlocutory order he cannot be ordered to be reinstated or continued in service.”

It is not in dispute that the appellant was relieved from the service of the Corporation on 31.12.2014. Merely because a Rule has been issued in the writ petition does not mean that the appellant is entitled for interim order of stay and that too when admittedly he has been relieved from the service. If the relief as

prayed for in the appeal is granted, perhaps that would amount to allowing the writ petition without hearing it on merits. In the circumstances, we dismiss the writ appeal.

Having considered overall facts and circumstances of the case, we request the learned Single Judge to hear and decide the writ petition, as per his convenience, at the earliest.

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B.BHOSALE,J

A.RAMALINGESWARA RAO,J

Dt:18.02.2015

kdl