

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.30489 of 2015

ORDER:

Heard.

It appears that the petitioner had filed a suit in O.S.No.781 of 2011 on the file of the I Senior Civil Judge, City Civil Court, Hyderabad, seeking recovery of possession. However, the said suit was dismissed, against which the petitioner filed C.C.C.A.No.98 of 2014 and the same is pending before this Court. The petitioner has also filed a suit in O.S.No.1343 of 2014 against the 3rd respondent for recovery of amount. While so, the petitioner as well as the 3rd respondent appears to have applied for regularization in terms of G.O.Ms.No.58, dated 30-12-2014. However, the 3rd respondent's application is stated to have been enquired into and under the impugned endorsement, dated 12-08-2015, the 3rd respondent was advised to make appropriate application under G.O.Ms.No.59, dated 30-01-2015. The present writ petition is filed aggrieved by the endorsement, dated 12-08-2015, issued in favour of the 3rd respondent, referred to above, on the ground that if any regularisation is granted to the 3rd respondent, the rights of the petitioner, which are subject matter of C.C.C.A.No.98 of 2014, will be defeated.

I am unable to see any legal right of the petitioner in questioning the said endorsement issued in favour of the 3rd respondent. If the petitioner has any rival claim to make as against the 3rd respondent, it is for him to make appropriate objections with reference to the application of the 3rd respondent for regularisation, apart from prosecuting his civil proceedings. Without making any such objections, the petitioner has straight away filed the present writ petition challenging the aforesaid endorsement.

I am not inclined to entertain the writ petition, as no rights of the petitioner are affected by the impugned endorsement. It is made clear that as and when the 3rd respondent makes an application under G.O.Ms.No.59, as

has been advised under the impugned endorsement, the petitioner is at liberty to file his objections before the authority concerned, which shall be taken into consideration before passing any order.

Accordingly, the writ petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 18-09-2015

Prv

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