

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT**

WRIT APPEAL No.544 of 2015

Dt:01.07.2015

Between:

A.Eswara Reddy.

... Appellant

And

P.Usha and others.

... Respondents

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT**

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PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard Mr. Ch.Ramakrishna, learned counsel for the appellant and Mr. M.Srinivas Reddy, learned counsel for respondent No.1.

This writ appeal is directed against the order, dated 21.05.2015, whereby learned Single Judge granted interim suspension of the order impugned in the writ petition, as prayed. This order was passed in the vacation. It was open for the appellant to file miscellaneous petition for either seeking vacation of the interim order or for hearing of the writ petition itself for final disposal. If we interfere with the order impugned in the present appeal, that will virtually amount to dismissing the writ petition without hearing and, therefore, we deem it appropriate to relegate the appellant to file miscellaneous petition for appropriate relief before learned Single Judge. If any such miscellaneous petition is filed, we request the learned Judge to consider and decide it expeditiously. All contentions of the parties on merits are kept open.

With these observations, we dispose of the writ appeal.

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

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

Dt:01.07.2015
kdl