

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

PRESENT

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT APPEAL NO.136 OF 2015

DATED:26.2.2015

Between:

M/s. Malladi Drugs & Pharmaceuticals Limited, represented by its
Chief Manager (HR), Sri S.S.Sastry, R/o Tirupathi.

... Appellant.

And

A.P. Industrial Infrastructure Corporation Limited, represented by its
Executive Director and another.

... Respondents.

**THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR**

WRIT APPEAL No.136 of 2015

JUDGMENT: (per the Hon'ble The Chief Justice Sri Kalyan Jyoti Sengupta)

Learned counsel for the appellant, after arguing the matter for some time, wants to withdraw the writ appeal.

The appeal is accordingly dismissed as withdrawn. However, we give liberty to the appellant to approach the appropriate Civil Court in accordance with law. If such civil proceedings are initiated within fifteen (15) days from the date of receipt of a copy of this order, then obviously the period, during which the writ petition was pending, including that of the appeal, may be considered for exclusion under Section 14 of the Limitation Act, 1963, as the Hon'ble Trial Judge has observed that writ Court has no jurisdiction, so also we agree with the same. The appellant proceeded with the writ proceedings in bona fide, but it was found that Writ Court is not competent to decide the matter. Pending miscellaneous petitions, if any, shall also stand dismissed. There will be no order as to costs.

K.J. SENGUPTA, CJ

SANJAY KUMAR, J

26.2.2015

BNR / GJ

