

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.Nos.21153 and 21155 of 2015

COMMON ORDER:

Heard.

The petitioner questions the order of the 3rd respondent, dated 13-12-2010 passed in Case Nos.B/1300/2009 and B/461/2010. The petitioner herein was the 8th respondent in the said two cases. The petitioner herself states that in appeals filed by some others against the very same impugned order before the 2nd respondent in File No.F2/967/2011 and batch, the 2nd respondent vide order, dated 02-06-2012, allowed the said appeals setting aside the common order of the 3rd respondent, dated 13-12-2010. The petitioner states that some of the parties have filed C.R.P.No.3796 of 2012 against the said order, which is pending before this Court and the petitioner herein is also a party to the said revision. The petitioner, however, choose to question the said order of the 3rd respondent, dated 13-12-2010 in the present writ petitions notwithstanding that the said order is set aside by the 2nd respondent and the matter is subjudice in the aforesaid C.R.P.

Learned counsel for the petitioner states that the 5th respondent herein has filed a suit in O.S.No.189 of 2015 on the file of the Principal Junior Civil Judge, Ranga Reddy District, for perpetual injunction against the petitioner herein on the ground that the petitioner did not prefer any appeal against the order of the 3rd respondent, dated 13-12-2010.

I do not see any reason to entertain the writ petitions, as the impugned order is admittedly set aside by the appellate authority and the matter is subjudice in the C.R.P. referred to above. Since the petitioner is a party to the said proceedings including the C.R.P., the writ petition questioning the very same common order of the 3rd respondent is, therefore, not entertained. Since the order of the 3rd respondent does not exist in the eye of law and only

the order of the 2nd respondent passed in appeal exists as on today, subject to further orders in the C.R.P., I do not see any reason to entertain the writ petitions.

Accordingly, the writ petitions are dismissed. No costs.

Miscellaneous petitions, if any, pending in these writ petitions shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 10-07-2015

Prv

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.Nos.21153 and 21155 of 2015

10-07-2015

Prv