

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.355 OF 2015

DATED:30.4.2015

Between:

M/s. Chennai Radha Engineering Works (P) Ltd.,

Having its Office at # 40, Sapthagiri Colony

Jaffarkhanpet

Chennai

Represented by its Authorized Signatory Mr. C. Rajiv Gandhi

... Appellant

And

State of Telangana

Represented by the Principal Secretary

Energy, Power,

Telangana Secretariat

Hyderabad

and others ... Respondents

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

-

WRIT APPEAL NO.355 OF 2015

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

This appeal is summarily dismissed as we find that the order is not appealable under Rule 1 of Order 43 of the Code of Civil Procedure, which has been adopted by Writ Rules of this Court, and even under Clause 15 of Letters Patent it is not a judgment, as it does not determine right of any sense. The impugned order merely issues notice to hear out the matter, without determining any right. However, we notice that a miscellaneous application has been made for interlocutory relief and

this is yet to be considered by the Hon'ble Trial Judge. We desire and hope that the learned Trial Judge will decide the same as early as possible.

The appeal is accordingly dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed. There will be no order as to costs.

K.J. SENGUPTA, CJ

SANJAY KUMAR, J

30.4.2015

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