

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

AND

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

WRIT APPEAL Nos. 368, 369, 379 & 380 of 2015

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COMMON JUDGMENT: (per NRR,J)

In all these cases, the grievance of the respective appellants is that they were impleaded as party respondents to the writ petition concerned, and the learned Single Judge at the admission stage itself allowed the writ petitions, without even putting the contesting respondents/respective appellants on notice and without providing them an opportunity of hearing, and hence, their interests have been adversely affected by such final orders.

It is a fundamental principle of law that no party should be condemned unheard and without being provided a fair and reasonable opportunity of hearing. In the instant case, the learned Single Judge has allowed the writ petitions, holding that the Revenue Divisional Officer has no power to permit the contesting respondents/respective appellants to withdraw the resignations offered by them and which are also accepted earlier. Such a question ought to have been decided only after putting the appellants on notice and providing them an opportunity of hearing.

Therefore, only for the reason that the learned Single Judge has allowed the writ petitions without providing an opportunity of hearing to the respective appellants, we set aside the orders dated 13.04.2015, passed in W.P.Nos.10388, 10423, 10429 & 10403 of 2015 and we restore the writ petitions for consideration afresh.

This order was passed after hearing the learned Government Pleader for Civil Supplies and Sri N.Sravan Kumar learned counsel for the writ petitioners-respondents in respective writ appeals.

The writ appeals are accordingly allowed. There shall be no order as to

costs.

Consequently, the miscellaneous applications, if any shall also stand disposed of.

NOOTY RAMAMOHANA RAO, J

M.S.K.JAISWAL, J

Dt:07.05.2015

Kdl/gj