

The Hon'ble Sri Justice C.V.Nagarjuna Reddy
and

The Hon'ble Sri Justice G.Shyam Prasad

Writ Appeal No.613 of 2016

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Date: 27.07.2016

Between:

The State of Telangana
rep. by its Prl.Secretary
Panchayat Raj Dept.,
Hyderabad and 3 others

..Appellants

and

Katla Swamy and 7 others

..Respondents

Counsel for the Appellants: GP for Panchayat Raj

The Court made the following:

Judgment: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

An ad interim order passed by a learned
Single Judge in WPMP.No.4378 of 2016 in
WP.No.3426 of 216 is assailed in this Writ
Appeal.

The legality or otherwise of Memo No.A4/455/MRCS/2013, dated 25-01-2016, of appellant No.3 directing discontinuance of the respondents was raised in the Writ Petition. While ordering notice, the learned Single Judge has issued an interim direction to continue the respondents as Mandal Resource Coordinators at their respective Mandal Resource Centres, Karimnagar District.

The learned Government Pleader for Panchayat Raj submitted that in ordinary course, he would not have advised filing of Writ Appeal against the *ex parte* order when a vacate stay application was filed within a reasonable period after passing of the interim order, but for the fact that the said application is not being taken up for hearing in view of heavy pendency of cases before the learned Single Judge concerned. He has further submitted that as the very scheme of engaging Mandal Resource Coordinators was wound up, the appellants are not in a position to implement the said order and that adding to their woes, the respondents have filed a Contempt

Case.

While we understand the predicament of the appellants for their pleaded inability to implement the order of the learned Single Judge, we, at the same time, are not inclined to interfere with the discretionary order passed by him, more so, when a vacate stay application is pending. All that we can do in this Writ Appeal is to permit the appellants to make a mention before the learned Single Judge before whom the vacate stay application is stated to be pending for an early hearing of the same. If such a mention is made, we have no reason to doubt that the learned Single Judge will hear the vacate stay application on a priority basis to enable the appellants to avoid the unseemly situation of being hauled up for contempt.

Subject to the above observations, the Writ Appeal is disposed of.

As a sequel to disposal of the Writ Appeal, WAMP.No.1615 of 2016, filed by the appellants for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

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(G.Shyam Prasad, J)

Dt: 27th July, 2016
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