

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA**

WRIT APPEAL No.1055 of 2016

JUDGMENT: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

Both the learned Advocate General appearing on behalf of the appellant and Sri Ghanta Rama Rao, learned Senior Counsel appearing on behalf of the respondent, would agree that the order under appeal was passed at the admission stage, and the writ petition was allowed without the appellant being afforded an opportunity to file their counter affidavit.

Learned Government Pleader appearing on behalf of the learned Advocate General submits that, if the order under appeal is set aside and the writ petition is restored to file, the counter affidavit in the writ petition would be filed within one week thereafter.

Sri Ghanta Rama Rao, learned Senior Counsel, would readily agree for such an order to be passed.

The order under appeal is set aside and the writ petition is restored to file. The appellant herein (respondent in the writ petition) shall file their counter affidavit in the writ petition within one week from today. It is open to the respondent-writ petitioner to request the learned Single Judge for listing of the writ petition any time after one week from today.

The Writ Appeal stands disposed of accordingly.

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

(RAMESH RANGANATHAN, ACJ)

(A.SHANKAR NARAYANA, J)