

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN**

**AND**

**THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA**

**Writ Appeal No.1374 of 2016**

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

Sri Vedula Venkata Ramana, learned Senior Counsel appearing on behalf of the appellants, would submit that, even without the 6<sup>th</sup> respondent in the writ petition being shown as a necessary party and even without any relief being sought against the 6<sup>th</sup> respondent, the interim order came to be passed.

On the other hand, Sri Mir Masood Khan, learned counsel for the respondent-writ petitioner, would submit that reference to the 6<sup>th</sup> respondent, as not being a necessary party, is a typographical error; the allegations against the members of the executive committee is of their having misappropriated funds of the Hyderabad Cricket Association; there is no justification, therefore, for the Hyderabad Cricket Association to meet their legal expenses, when the criminal action instituted against them is for misappropriation of funds of the Hyderabad Cricket Association itself; and the respondent-writ petitioner is taking necessary steps to have the typographical error in the order corrected.

The question whether the interim order could have been passed by the learned Single Judge, even without the 6<sup>th</sup> respondent being shown as a necessary party in the writ petition, can as well be urged before the learned Single Judge. The learned Single Judge has merely directed the 5<sup>th</sup> respondent not to withdraw further amount to meet the legal expenses, or sanction bills already submitted towards legal expenses, for a period of four weeks from the date of the order. The said four weeks would expire by 26.12.2016 just one week hence.

The learned Single Judge has, in any event, directed that the matter be listed after two weeks from the date of the order. As all these contentions can as well be urged before the learned single Judge, we see no reason to exercise discretion to entertain this appeal under Clause 15 of the Letters Patent.

Leaving it open to the appellants herein to raise all the contentions, urged before us, before the learned Single Judge, the Writ Appeal is dismissed. Miscellaneous Petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

**(RAMESH RANGANATHAN, ACJ)**

**(A.SHANKAR NARAYANA, J)**

19<sup>th</sup> December, 2016  
JSU



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**Date: 19.12.2016**

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