

THE HON'BLE SRI JUSTICE CHALLA KODANDARAM

WRIT PETITION No.14727 of 2016

ORDER:

The present writ petition is filed seeking a writ of Mandamus challenging the orders in ARC No.116 of 2014.

2. Challenging the order in ARC No.116 of 2014 of the 3rd respondent, the petitioner filed appeal before the Co-Operative Appellate Tribunal on 04.03.2016 and the said appeal is pending. In the meanwhile, one of the respondents in ARC No.116 of 2014 approached this Court by filing the writ petition No.6077 of 2016 and the same was allowed by this Court vide order dated 30.03.2016.

3. In the light of the orders of this Court setting aside the proceedings passed in ARC No.116 of 2016, no useful purpose would be served by directing the petitioner to pursue the appellate remedy.

4. Since there is no Presiding Officer to the appellate tribunal as of now, the appeal filed by the petitioner is being adjourned. Considering the fact that the order, which is challenged by the petitioner in the appeal, has already been set aside, if the similar order as in W.P.No.6077 of 2016 is made in this case, the interest of justice would be served.

5. Accordingly, the writ petition is allowed in terms of the order dated 30.03.2016 in W.P.No.6077 of 2016. The petitioner also shall forthwith file an application before the appellate tribunal seeking to withdraw the appeal. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

JUSTICE CHALLA KODANDA RAM

Date: 27-04-2016.

Gvl