

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT**

W.A.No.23 OF 2016

PC: *(Per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)*

Heard learned counsel for the parties.

This writ appeal is directed against the order dated 04.01.2016 passed in W.P.No.43047 of 2015.

The impugned order reads thus:

“Ms.T.Suneeta, learned counsel, takes notice for respondent No.1.

Sri G.Narender Reddy, learned Standing Counsel for Panchayat Raj Institutions (Telangana State) takes notice for respondent Nos.2 & 3.

Learned Assistant Government Pleader for Revenue (Telangana State) takes notice for respondent No.4.

All the learned counsel requested for time for filing their respective counter-affidavits.

Mr.D.Prakash Reddy, learned senior counsel appearing for respondent No.1, has strongly opposed grant of interim order.

However, considering the fact that the petitioner was elected as Sarpanch of the Gram Panchayat and his election having been set aside, non-grant of interim order at this stage would lead to his ceasing to be Sarpanch pending the Writ Petition. Hence, I find the elements of balance of convenience and irreparable injury in favour of the petitioner.

Accordingly, pending further orders, there shall be interim suspension of judgment, dated 21.12.2015, in O.P.No.6 of 2013 on the file of the Junior Civil Judge, Ramannapet.

The Election Tribunal is directed to send the ballot papers and the proceedings pertaining to recounting of votes by the next date of hearing. The Registrar (Judicial) shall take appropriate steps in this regard.

Post on 08.02.2016”.

Learned counsel for the parties have agreed for modification of the impugned order, pending the hearing and final disposal of the writ petition. They have also jointly prayed for direction to learned Single

Judge to dispose of the writ petition expeditiously.

Hence, we are satisfied that the following order shall meet the ends of justice:

“Respondent No.1, though is allowed to function as Sarpanch, shall not have any right to vote and shall not exercise cheque drawal power, pending the hearing and final disposal of the writ petition.

Learned Single Judge is requested, in view of the peculiar facts and circumstances of the case, to dispose of the writ petition expeditiously”.

With these observations, appeal is disposed of.

Consequently, pending miscellaneous petitions, if any, also stand disposed of.

ACJ

DILIP B. BHOSALE,

S.V.BHATT,

J

Date: 21.01.2016

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