

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT APPEAL No. 194 OF 2016

16-03-2016

Between:

Pilli Nirmala

... Appellant

And

Gutthula Chandravathi and others

... Respondents

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HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE P. NAVEEN RAO

-
WRIT APPEAL No. 194 OF 2016

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

This writ appeal is directed against the order dated 09-02-2016 passed in WPMP No. 34414 of 2014 in Writ Petition No. 27484 of 2014, whereby the 1st respondent's (writ petitioner) prayer for seeking direction to the 5th respondent not to allow the appellant to continue to discharge the functions of the office of Corporator from 28th ward of Rajahmundry Municipal Corporation, has been allowed pending disposal of the writ petition. The learned single Judge granted the interim order as prayed for, for the short reasons recorded therein.

We have heard Sri C.V. Mohan Reddy, learned Senior Counsel for the appellant; Sri D. Sudershan Reddy, learned Senior Counsel for the 1st respondent and the other counsel for the remaining respondents.

After hearing learned Senior Counsel for the parties for sometime, when we expressed our prima facie opinion, they have agreed for the order that we propose to pass and fairly stated that we need not record reasons for the same.

Hence, we dispose of the appeal by the following order:

The order of the learned single Judge dated 09-02-2016 shall stand suspended pending the hearing and final disposal of Writ Petition No. 27484 of 2014.

The learned Judge who is assigned to hear the writ petition, as per the roster, shall endeavour to dispose of the writ petition expeditiously having regard to over all facts and circumstances of the case. It is open to the appellant to seek fixed date of hearing before the learned single Judge which we hope and trust the learned single Judge shall fix as per his convenience. All contentions of the parties are kept open including the contention raised by the appellant that the writ petition is not maintainable for the relief as prayed. At this stage, Sri Mohan Reddy, on instructions submits that the appellant shall file counter in the writ petition within a period of ten days from today. His statement is recorded and accepted.

While passing this order, we shall not be understood to have expressed any opinion on merits of the case.

Miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

P. NAVEEN RAO, J

16-03-2016

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