

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

-
Writ Appeal No.106 of 2016

Date:16.2.2016

-
-

Between:

State of Andhra Pradesh,
Represented by its Special Chief
Secretary,
Agriculture & Cooperation (Co-op.II) Department,
Hyderabad and others.

.....Appellants

And

P. Rajanikanth,
Kothapeta,
Vijayawada and others.

... Respondents

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

-
-
Writ Appeal No.106 of 2016

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

Heard learned Government Pleader for Cooperation for the appellants and Mr. V.S.R. Anjaneyulu, learned counsel holding for Mr. Vajjhala Satyanarayana Prasad, Advocate on record for the 1st respondent-writ petitioner.

Learned counsel for the parties have fairly stated that we need not record reasons for disposal of the appeal in terms of the order that we propose to pass. Hence, we dispose of the appeal by the following order:

“1. The submission made on behalf of the appellants that the appellants shall file counter affidavit before the learned Single Judge in the writ petition within a period of one week from today is accepted. If the appellants fail to file counter affidavit within one week from today, it would be open to learned Single Judge to decide the writ petition on merits, in accordance with law, in the absence of the counter affidavit.

2. If the counter affidavit is filed, as aforementioned, it is open to the 1st respondent-writ petitioner to file his reply, if he so desires, within a period of one week therefrom. If he fails to file his reply within the time, as aforementioned, it would be open to learned Single Judge to proceed with the writ petition and decide the same on merits, in accordance with law, in the absence of the reply.

3. The learned Single Judge is requested to consider and decide the writ petition expeditiously. Till the writ petition is heard and disposed of finally, it is open to the appellants not to re-commence the election process as per the impugned order. All contentions on merits are kept open. It is open to the parties to move the learned Single Judge for fixing the date of hearing once the counter affidavit and reply are filed by them.”

With these observations, the writ appeal is disposed of.

Consequently, pending miscellaneous applications shall also stand closed.

DILIP B. BHOSALE, ACJ

P. NAVEEN RAO, J

16th February, 2016

Pnb