

HON' BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON' BLE DR JUSTICE SHAMEEM AKTHER

W.P. No. 19460 of 2017

ORDER:- (ORAL)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

This writ petition is filed for the following substantive relief:

“.....to issue a writ or order or direction more in the nature of writ of mandamus declaring the inaction of the 7th respondent in listing the M.A.No. 486 of 2017 for restoring the O.A.No. 3452 of 2014 before the appropriate bench for orders and disposal, as arbitrary, illegal, perverse and non-application of mind which is violative of Articles 14 and 21 of the Constitution of India and the Administrative Tribunals Act and the Rules made thereunder, and consequently direct the 7th respondent to list the M.A.No. 486 of 2017 in O.A.No. 3452 of 2014 forthwith before the bench concerned for hearing and disposal.”

The learned counsel for the petitioner submits that the Tribunal dismissed the O.A.No. 3452 of 2014 for default vide order dated 17.04.2017. Thereafter, the petitioner moved an application in M.A.No. 486 of 2017 within the period of limitation seeking restoration of the O.A. to its file. The petitioner also made an application on 06.06.2017 requesting the Tribunal to list the M.A.No. 486 of 2017 before appropriate bench. In spite of the same, the 7th respondent has not passed any orders directing the matter to be listed before appropriate Bench for hearing and disposal of the O.A.

Keeping in view the averments made in the writ petition and the submissions of the learned counsel for the petitioner, we hereby direct the 7th respondent - A.P. Administrative Tribunal to list the M.A.No. 486 of 2017 in O.A.No.3452 of 2014 on 19.06.2017 before the appropriate Bench.

With the above direction, the writ petition is disposed of. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

15.06.2017

SURESH KUMAR KAIT, J

DR. SHAMEEM AKTHER, J

Note:- Furnish copy today
b/o
bcj

