

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Writ Appeal No.119 of 2017

Judgment: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

This appeal is preferred against the order passed in W.P.M.P. No. 39007 of 2016 in W.P. No. 31538 of 2016 dated 26.12.2016. The appellant herein is the State of Andhra Pradesh represented by its Principal Secretary, Cooperation Department. They are aggrieved by the order passed by the learned Single Judge, whereby the State of Andhra Pradesh represented by its Principal Secretaries, Industries and Commerce Department and Cooperation Department were directed to deposit the amounts awarded by the Industrial Tribunal-cum-Labour Court, Anantapur in M.P. Nos. 6 to 8 of 2006 dated 31.12.2000 and batch within six weeks from the date of the order.

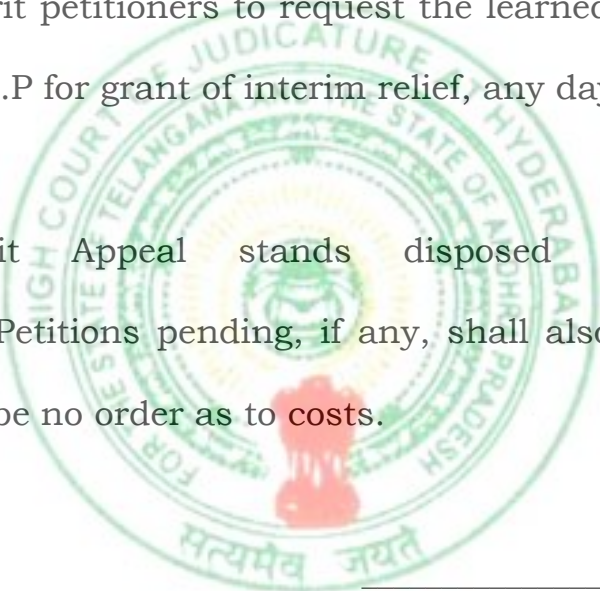
The appellant's grievance is that they were not given an opportunity of being heard. While Sri P. Venugopal, learned Senior Counsel appearing on behalf of the respondents-writ petitioners, would dispute this contention stating that the learned Government Pleader had, in fact, appeared before the learned Single Judge, the submission of the learned Government Pleader, on the other hand, is that, though he had appeared in the matter and had contended that they were not liable to pay the amounts, the learned Single Judge, had passed the order.

While Sri P. Venugopal, learned Senior Counsel, would draw our attention to Ground No. (d) to contend that the submission made on behalf of the appellant is limited, both the learned Government Pleader for Cooperation and Sri P. Venugopal, learned Senior Counsel, would agree that any observation made by this

Court, on the merits of the case, may prejudice the case of the parties before the learned Single Judge. We, therefore, refrain from making any observations on the rival submissions made before us. Suffice it to note that the direction, in the order under appeal, for the appellant to deposit the amounts before the Labour Court ought to have been supported by reasons.

As the order under appeal is bereft of reasons, the said order is set aside. The W.P.M.P. is restored to file. The Learned Government Pleader for Cooperation shall file a counter affidavit in the writ petition within two weeks from today. It is open to the respondents-writ petitioners to request the learned Single Judge to hear the W.P.M.P for grant of interim relief, any day after two weeks from today.

The Writ Appeal stands disposed of accordingly. Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.



(RAMESH RANGANATHAN, ACJ)

(Dr. SHAMEEM AKTHER, J)

30th January, 2017

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Date: 30.1.2017

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