

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY  
AND  
THE HON'BLE SRI JUSTICE GUDI SEVA SHYAM PRASAD

Writ Appeal No.512 of 2017

DATED:30-08-2017

Between:

The District Rural Development Authority  
Ongole  
Rep. by its Project Director M.S. Murali  
R/o. Ongole  
Prakasam District ... Appellant

And

R. Pothuraju  
and others ... Respondents

COUNSEL FOR THE APPELLANT: Mr. D. Raghavulu

COUNSEL FOR RESPONDENT NO.1 : -

COUNSEL FOR RESPONDENT NOS.2 and 3: Government Pleader  
for Services (AP)



THE COURT MADE THE FOLLOWING:

ORDER: (per the Hon'ble Sri Justice C.V. Nagarjuna Reddy)

This writ appeal is filed assailing order dt.14.11.2016 in W.P. No.1303 of 2008.

At the hearing, the learned counsel for the appellant submitted that the relief granted by the learned single Judge was based on an incorrect fact, namely, that respondent No.1, who was allowed for the screening test held on 27.01.2008, has passed the said test, but he was not sent for the training because of pendency of the writ petition. The learned counsel submitted that as a fact respondent No.1 was not qualified in the screening test.

A perusal of the order of the learned single Judge shows that no one appeared for the appellant before the learned single Judge. Therefore, the appellant having not appeared before the learned single Judge, is not entitled to file the writ appeal based on the purported misstatement of fact without filing a review before the learned single Judge for getting the said mistake rectified. In this view of the matter, we are not inclined to entertain the writ appeal at this stage.

The writ appeal is accordingly dismissed, however, with liberty to the appellant to file a review in the writ petition.

As a sequel to dismissal of the writ appeal, W.A.M.P. Nos.1076 of 2017 shall stand disposed of as infructuous.

---

C.V. NAGARJUNA REDDY, J

---

GUDI SEVA SHYAM PRASAD, J

30-8-2017

*bnr*