

The Hon'ble Sri Justice C.V.Nagarjuna Reddy
and
The Hon'ble Smt. Justice Kongara Vijaya Lakshmi
Writ Petition No.32916 of 2017
Date: 25.10.2017

Between:

U.Subba Rao and another

... Petitioners

and

The District Collector,
West Godavari District and 6 others

...Respondents

Counsel for the Petitioner: Mr.J.Sudheer

Counsel for respondent Nos.1 to 3: GP for Services I (AP)

The Court made the following:



Order: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This Writ Petition is filed feeling aggrieved by Order, dated 12-10-2015, in OA.No.9116 of 2012, on the file of the Andhra Pradesh Administrative Tribunal at Hyderabad (for short 'the Tribunal').

The main plea advanced by Mr.J.Sudheer, learned Counsel for the petitioner, before us is that though his clients were promoted as the Hostel Welfare Officers Grade- I, as far back as 17-01-2009, respondent Nos.4 and 5 have filed OA.No.9116 of 2012 on 07.10.2012 with a delay of more than 3½ years. He has also submitted that respondent Nos.4 and 5 have suppressed certain material facts.

From a perusal of the impugned order of the Tribunal, it is evident that despite entering appearance, the petitioners have not filed a counter-affidavit raising the above-noted pleas. In our opinion, the petitioners are not entitled to straight away approach this Court in order to question the order of the Tribunal without first raising these pleas thereat and inviting an order thereon.

In this view of the matter, the Writ Petition is dismissed, however, with liberty to the petitioners to file a review in OA.No.9116 of 2012 before the Tribunal. If the petitioners file such a review within four weeks from today, the Tribunal shall

entertain and dispose of the same on merits without raising the issue of limitation.

As a sequel to dismissal of the Writ Petition, WPMP.No.40952 of 2017, filed by the petitioners for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(Kongara Vijaya Lakshmi, J)

Dt: 25th October, 2017
lur

