

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

Writ Appeal No.282 of 2017

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

Heard Sri M.Srikanth, learned counsel for the appellant, learned Government Pleader for Social Welfare and Sri P.Gangaiah Naidu, learned Senior Counsel appearing on behalf of the 1st respondent.

The appellant herein is the 5th respondent in the writ petition. The 1st respondent herein filed W.P.No.40666 of 2016 to call for the records of the order of the Government of Andhra Pradesh in G.O.Ms.No.40 dated 03.11.2016 and the order of the District Collector dated 27.06.2014 and to declare the said orders as illegal and arbitrary. W.P.No.40666 of 2016 was allowed by order dated 17.02.2017, G.O.Ms.No.40 dated 03.11.2016 was set aside, and the matter was remanded to the Principal Secretary, BC Welfare Department for re-consideration in the light of the order passed by him earlier on 18.08.2016 and for passing appropriate orders, after hearing the 1st respondent-writ petitioner, in accordance with law.

The only grievance of Sri M.Srikanth, learned counsel for the appellant, is that, in the absence of any time frame being fixed by the Learned Single Judge, the respondents were not likely to decide the issue early thereby affecting the appellant's rights. Sri P.Gangaiah Naidu, learned Senior Counsel appearing on behalf of the 1st respondent-writ petitioner, would submit that, since the dispute relates to the genuineness of the social status of the 1st respondent, a reasonable time frame may be fixed.

We consider it appropriate, in such circumstances, to direct the Principal Secretary, BC Welfare Department to give both the 1st respondent and the appellant herein an opportunity of being heard and, thereafter, pass appropriate orders at the earliest, and in any event not later than four months from the date of receipt of a copy of this order.

The order of the Learned Single Judge is modified to the extent indicated hereinabove, and the Writ Appeal is 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)

14th March, 2017
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Date: 14.03.2017

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