

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE M.S.K.JAI SWAL

WRIT PETITION No.20025 of 2017

04.09.2017

Between:

The Union of India,
represented by its Secretary,
Ministry of Defence, New Delhi and others

..Petitioners

and

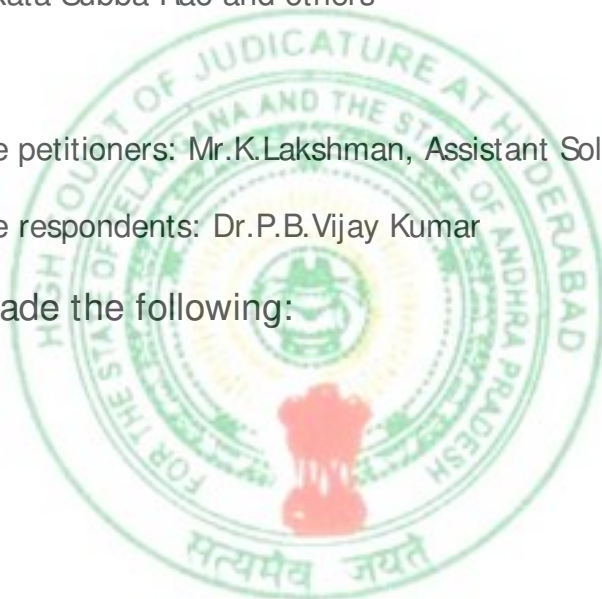
Chakranti Venkata Subba Rao and others

..Respondents

Counsel for the petitioners: Mr.K.Lakshman, Assistant Solicitor General

Counsel for the respondents: Dr.P.B.Vijay Kumar

The Court made the following:



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

This writ petition is filed for issue of a *certiorari* to quash order, dated 05.12.2014, in O.A.No.783 of 2013 on the file of the Central Administrative Tribunal, Hyderabad Bench, Hyderabad (for short 'the Tribunal').

2. A perusal of the impugned order shows that the Tribunal has allowed the aforementioned O.A. filed by the respondents on various grounds including the one that it allowed O.A.No.1204 of 2013 on 14.03.2014 by setting aside the condition of fixing the upper age limit for recruitment of the applicants therein as Ex-Naval Apprentices for their selection in respect of their respective notified trades. The Tribunal has observed that in view of the aforesaid order, the respondents herein are also entitled to the same relief.

3. This Court on 22.08.2017 has adjourned the case to enable the learned Assistant Solicitor General appearing for the petitioners to seek instructions as to whether his clients have questioned order, dated 14.03.2014, in O.A.No.1204 of 2013. Today, the learned counsel representing the learned Assistant Solicitor General has submitted that the said order has not been questioned so far. Inasmuch as the Tribunal has placed reliance on the aforesaid order in O.A.No.1204 of 2013 while granting the relief to the respondents and the said order having not been questioned so far, the petitioners cannot be permitted to question the subsequent order passed in favour of the respondents.

4. In the above view of the matter, the Writ Petition is dismissed.

5. As a sequel to dismissal of the writ petition, W.P.M.P.No.24508 of 2017 filed by the petitioners for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

M.S.K.JAI SWAL, J

04th September, 2017
GHN

