

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

AND

THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

WRIT PETITION No. 12517 OF 2003

DATED 07TH SEPTEMBER, 2017

Between:

Chief Engineer (P),
N.S.R.S. Project,
6th floor, Gaganvihar,
M.J. Road, Hyderabad, and another

... Petitioners

AND

D.N.Purushotham and another

... Respondents

Counsel for the petitioners

:

G.P. for Services (T.S.)

Counsel for the respondents

:

सत्यमेव जयते

THE COURT MADE THE FOLLOWING

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

This Writ Petition is filed for *certiorari* to quash order dated 26-12-2002 in O.A.No. 6330 of 1992 on the file of the Andhra Pradesh Administrative Tribunal at Hyderabad (for short, 'the Tribunal').

2. In the manner this Court proposes to dispose of the Writ Petition, it is unnecessary to record the facts in detail. It would suffice to note that the dispute pertains to fixation of seniority of respondent No. 1 over respondent No. 2. The Tribunal after hearing learned counsel for all the parties including that of respondent No. 2 directed that the seniority of respondent No. 1 shall be fixed over and above respondent No. 2.

3. Learned Assistant Government Pleader (T.S.) has submitted that to his knowledge, respondent No. 2 did not question the order of the Tribunal. In our opinion, as the dispute pertains to *inter se* seniority between respondent Nos. 1 and 2, the petitioners can be said to be only *pro forma* parties while the affected party is respondent No. 2. When the affected party has not questioned the order of the Tribunal, we feel that it is wholly unnecessary for the petitioners to assail the said order. We also find from the record that though served, respondent No. 2 has not even entered appearance which shows that he has no interest in the *lis*.

4. In this view of the matter, we do not find any merit in this Writ Petition and the same is accordingly dismissed.

5. As a sequel to dismissal of the Writ Petition, W.P.M.P.No. 15576 of 2003 shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J.

GUDISEVA SHYAM PRASAD, J.

Date: 07-09-2017.

JSK

