

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE N.BALAYOGI**

WRIT PETITION NO.11843 OF 2017

O R D E R

(Per Hon'ble Sri Justice Sanjay Kumar)

This writ petition was moved by way of a lunch motion against the order dated 28.03.2017 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.772 of 2017. Perusal of the said order reflects that the Tribunal merely issued notice before admission to the respondents returnable in four weeks.

In the light of the law laid down by the Supreme Court in **L.CHANDRA KUMAR V/s. UNION OF INDIA¹**, this Court cannot entertain a writ petition unless the Administrative Tribunal, being the Court of the first instance, applies its mind and adjudicates the issues raised before it, be it at the interlocutory or the final stage. Mere ordering of notice to the respondents does not reflect any application of mind or rejection of the prayer for interim relief.

The writ petition is accordingly dismissed leaving it open to the petitioners to move the Tribunal to deal with their prayer for interim relief pending disposal of the O.A. Pending miscellaneous petitions, if any, shall also stand dismissed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

N.BALAYOGI, J

3rd APRIL, 2017

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¹ (1997) 3 SCC 261