

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE Mr. JUSTICE M. GANGA RAO

**Writ Appeal No.1525 of 2017**

**Judgment:** (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

This appeal, under Clause 15 of the Letters Patent, is preferred against the proceedings in W.P. No. 31885 of 2017 dated 19.9.2017.

In the order under appeal, the learned Single Judge noted the submission urged on behalf of the Housing Board, that auction has already been conducted in respect of the subject property; the bid went for a sum of Rs.70,500/- per square yard as against Rs.200/- offered by the petitioner, which he had not availed in the year 2000 itself. The Learned Single Judge directed notice, returnable in four weeks, to be issued.

As has been held by a Division Bench of this Court in **Kunala Subbarao vs. P.Nagaratnayamma**<sup>1</sup>, mere deferring hearing of the Writ Petition without passing any order in the WPMP, would not amount to a "judgment", in which case alone, would an appeal lie under Clause 15 of the Letters Patent.

As no appeal, under Clause 15 of the Letters Patent, would lie against the action of the learned Single Judge in merely deferring hearing of the admission of the Writ Petition, we see no reason to entertain this appeal under Clause 15 of the Letters Patent.

The Writ Appeal fails and is, accordingly, dismissed. Miscellaneous Petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

**(RAMESH RANGANATHAN, ACJ)**

**(M. GANGA RAO, J)**

16<sup>th</sup> October, 2017

pnb

---

<sup>1</sup> AIR 1982 AP 443

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN**  
**AND**  
**THE HON'BLE Mr. JUSTICE M. GANGA RAO**



**Writ Appeal No.1525 of 2017**

Date: 16.10.2017

**pnb**