

HON' BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P. No. 7238 of 2018

ORDER:- (ORAL)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

This writ petition is taken up for disposal at the admission stage itself with the consent of the learned counsel for both the parties.

The writ petition is filed challenging the order dated 24.01.2018 in O.A.No. 81 of 2018 passed by the A.P. Administrative Tribunal, Hyderabad, whereby the application filed by the petitioner under Section 19 of the Administrative Tribunals Act, 1985, has been dismissed.

The admitted case of the petitioner is that even though he has alternative remedy of statutory appeal before the 2nd respondent - Director of Municipal Administration, he has not challenged the Proceedings P.No. 12226/ 2016/ J2/ Dy.E.O., dated 05.10.2017 of the 1st respondent – Commissioner before the appellate authority. Therefore, the impugned order passed by the Tribunal is perfectly justified and the same does not warrant interference by this Court.

Hence, the writ petition is devoid of merit and the same is accordingly dismissed. However, keeping in view the facts and circumstances of the case and in the interest of justice,

liberty is granted to the petitioner to avail alternative remedy of statutory appeal before the 2nd respondent – Director of Municipal Administration within a period of two weeks from today. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

06.03.2018

ABHINAND KUMAR SHAVILI, J

bcj

