

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

AND

THE HON'BLE SRI JUSTICE P.KESHAHA RAO

WRIT PETITION No.28416 of 2018

02.11.2018

Between:

Athkure Hanmanth

..Petitioner

and

The State of Telangana,
represented by its Ministry of Law and Social Justice,
Secretariat Buildings, Lower Tank Bund, Hyderabad
and others

..Respondents

Counsel for the petitioner: Mr.T.Sujan Kumar

Counsel for respondent No.1: Government Pleader for
Law Legislature Affairs (T.S.)

Counsel for respondent No.2: Mr.J.Anil Kumar,
standing counsel for Legal Services Authority

Counsel for respondent No.3: Government Pleader for Home (T.S.)

Counsel for respondent No.4: Mr.P.Krishna Reddy

The Court made the following:

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

This writ petition is filed for the following substantive relief.

“...to issue an order or direction more particularly one in the nature of Certiorari declaring the action of 2nd Respondent in passing the award, dated 08.04.2017, in M.C.No.04/2017 as illegal, arbitrary and violation of principles of natural justice and in violation of Section 20 and Section 21 of Legal Services Authorities Act, 1987 and consequently, set aside the award passed by 2nd respondent, dated 08.04.2017, in M.C.No.04/2017, in the interest of justice and pass such other order or orders...”

2. At the hearing, Mr.P.Krishna Reddy, learned counsel for respondent No.4, on instructions from his client, has submitted that having regard to the grievance expressed by the petitioner, the impugned Lok Adalat award may be set aside with a direction to the Judicial Magistrate of First Class, Bichkunda, Nizamabad, to dispose of M.C.No.4 of 2017.

3. In the light of the concession given by the learned counsel for respondent No.4 as above, the necessity for discussing the merits of the writ petition is obviated.

4. Accordingly, impugned Lok Adalat award, dated 08.04.2017, in M.C.No.4 of 2017 is set aside. M.C.No.4 of 2017 is restored to file. The learned Judicial Magistrate of First Class, Bichkunda, Nizamabad District, shall dispose of the aforesaid M.C., after hearing both sides, within a period of two months from the date of receipt of a copy of this order

5. Subject to the above directions, the Writ Petition is allowed.

6. As a sequel to allowing the writ petition, I.A.No.1 of 2018 filed by the petitioner for interim relief stands disposed of.

C.V.NAGARJUNA REDDY, J

P.KESHAHA RAO, J

02nd November, 2018

GHN