THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION No.29614 OF 2018

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

The State and its officials filed this writ petition aggrieved by the order dated 13.07.2018 passed by the Andhra Pradesh Administrative Tribunal (for brevity, 'the Tribunal'), Hyderabad, in O.A.No.1358 of 2018.

Perusal of the said order reflects that the Tribunal did not adjudicate upon any issue arising for consideration in the O.A. While granting interim suspension of the impugned proceedings, the Tribunal directed the Regional Joint Director of Intermediate Education, Andhra Pradesh, to appear in person before it on 30.07.2018 at 10.30 a.m. to show cause as to why he should not be proceeded against under the provisions of the Contempt of Courts Act, 1971, for having committed willful disobedience to the earlier order passed by it.

We are of the opinion that the Tribunal has not rendered any decision in the O.A. which would be amenable to judicial review by this Court in a writ petition filed under Article 226 of the Constitution. Suspension of the impugned proceedings by the Tribunal without any adjudication is not final in itself and if the State is aggrieved thereby, it can always take steps to seek vacating of the said order. Impact of the said order is not shown to have any irreversible effect warranting interference by this Court at this stage. A mere direction to a Government official to appear before the Tribunal to show cause as to why contempt proceedings should not be initiated against him is also not a decision in itself and it is for the said Government official to appear before the Tribunal and make out his case. We therefore find no grounds to entertain this writ petition.

The writ petition is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

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SANJAY KUMAR,J

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M. GANGA RAO, J

Date: 21.08.2018
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