

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

WRIT APPEAL No.1211 of 2018

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

The appellant is the petitioner in W.P.No.34756 of 2017 pending consideration before this Court. He filed W.P.M.P.No.43196 of 2017 therein with the following prayer:

“Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed therewith, the High Court will be pleased to stay of the final results of provisional selection list dated 01/09/2017 of the notification, Rc.No.01/Rect/Admn.1/2016, dated 06/02/2016, by violation of the notification Sl.No.8(a) and Annexure-I (Rule 3) without compliance, pending disposal of the above writ petition No.34756/2017 on the file of the High Court.”

By order dated 20.10.2017, a learned Judge of this Court dismissed the aforestated miscellaneous petition. This order reads as under:

“The relief sought for in the MP cannot be granted. Unless, the writ petition is heard and decided. Accordingly, the MP is dismissed.”

Aggrieved thereby, the appellant-petitioner filed this appeal with a delay of 295 days in its presentation, which was condoned *vide* separate order passed today.

Sri M.Surender Rao, learned senior counsel representing Sri Srinivasa Rao Madiraju, learned counsel for the appellant-petitioner, would fairly state before this Court that the final results pursuant to the Notification dated 06.02.2016 have already been declared.

As the interim prayer of the appellant-petitioner in the subject miscellaneous petition was to stay the said final results and it is not

possible for this Court to turn back the clock after the declaration of the final results, the said prayer has worked itself out and entertainment of this appeal at this stage therefore does not arise.

The writ appeal is accordingly dismissed leaving it open to the appellant-petitioner to work out his remedies in the pending writ petition, be it by seeking adjudication thereof or by filing a fresh interlocutory application therein.

Pending miscellaneous petitions, if any, shall also stand dismissed.

No order as to costs.

Date: 17.12.2018
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SANJAY KUMAR, J

M. GANGA RAO, J