

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

WRIT APPEAL No.1476 OF 2018

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

The first respondent in W.P.No.18727 of 2018 is the appellant. He seeks to maintain this appeal against the order dated 12.09.2018 passed by a learned Judge of this Court extending the interim order granted in the said writ petition on 07.06.2018 until further orders.

Though Sri T.Koteswara Rao, learned counsel for the appellant-first respondent, would state that a counter-affidavit was filed by the appellant in the writ petition, we find from the order under appeal that no counter-affidavit was referred to. The order under appeal also reflects that the learned counsel for the appellant was not heard on the said date.

Sri G.Praveen Kumar, learned counsel appearing for the first and second respondents, would state that the counter-affidavit was not even served upon him.

In any event, we are of the opinion that it would be appropriate for the appellant to first go before the learned Judge and have the issues raised by him adjudicated on merits instead of approaching the appellate forum at this stage.

The writ appeal is accordingly dismissed on this short ground leaving it open to the appellant to take appropriate steps in the writ petition in accordance with the due procedure.

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

No order as to costs.

SANJAY KUMAR,J

M. GANGA RAO, J

Date: 06.11.2018
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