

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

WRIT APPEAL No.1522 OF 2018

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

The respondents in W.P.No.35487 of 2018 are in appeal aggrieved by the interim order dated 04.10.2018 passed therein by a learned Judge of this Court.

Perusal of the order under challenge reflects that the learned Judge granted an ad interim stay while issuing notice before admission and directing the writ petition to be posted after four weeks.

The learned Assistant Government Pleader for Women Development and Child Welfare, State of Andhra Pradesh, does not dispute that the appellants-respondents are yet to file their counter in the writ petition.

If that be so, it would be open to the appellants-respondents to seek vacating of the stay granted in the writ petition. Without following this procedure, which would be in keeping with the Writ Proceedings Rules, 1977, it is not open to them to straight away approach the appellate forum.

On this short ground, we dismiss the appeal leaving all issues open. The appellants are at liberty to take steps in the pending writ petition in accordance with law and 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: 19.11.2018
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