

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 37206 of 2017

ORAL ORDER: *(Per the Hon'ble Sri Justice Suresh Kumar Kait)*

Vide the present petition, petitioner has assailed order dated 09.10.2017 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.365 of 2017 whereby the Tribunal directed to issue fresh notices to respondent Nos.3 and 4 returnable in four weeks.

2. Earlier, the petitioner filed W.P.No.17651 of 2017. Same was disposed of vide order dated 05.06.2017 directing the Tribunal to pass a reasoned order on interim prayer after hearing both parties within four weeks from the date of receipt of a copy of the order. Since respondent Nos.3 and 4 were not served, the learned Tribunal issued directions to issue fresh notices to them. We find no illegality and perversity in the order of the Tribunal dated 09.10.2017.

3. Fact remains that the case of the petitioner is against the 8th vacancy which has been carried forward under category "DA (PH) RP – 56". Therefore, in passing the interim order, respondent Nos.3 and 4 will not be affected as stated by the learned counsel for the petitioner. Keeping in view the fact that the petitioner's case is against the 8th vacancy, the Tribunal may hear the interim application without serving notices upon respondent Nos.3 and 4. Keeping in view the second round of his approach to this Court, we hereby direct the Tribunal to pass a reasoned order on interim prayer, after

hearing both parties excluding respondent Nos.3 and 4, within three (3) weeks from the date of receipt of a copy of this order.

4. Accordingly, the writ petition is disposed of. No order as to costs.

Consequently, miscellaneous applications if any pending in the writ petition shall stand closed.

SURESH KUMAR KAIT, J

ABHINAND KUMAR SHAVILI, J

8th March, 2018
cbs



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(disposed of)

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