

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

WRIT APPEAL NO.1591 OF 2018

JUDGMENT: (per SK,J)

The sixth respondent in W.P.No.29928 of 2018 is in appeal aggrieved by the interim order dated 09.11.2018 passed by a learned Judge of this Court in I.A.No.1 of 2018 filed in the said writ petition.

Sri G.Pedda Babu, learned counsel appearing for the appellant-sixth respondent, would fairly state that by the time the aforestated interim order was passed, the counter-affidavit filed by the sixth respondent was not even before the learned Judge.

If that be so, we are of the opinion that it would be appropriate for the appellant-sixth respondent to go before the learned Judge and seek vacating of the interim order in the first instance. When the learned Judge had no opportunity to consider the stand put forth by the appellant-sixth respondent, it would not be proper on the part of this Court to exercise appellate jurisdiction straightaway.

The writ appeal is accordingly dismissed on this short ground leaving it open to the appellant-sixth respondent to take appropriate steps in the pending writ petition.

Pending miscellaneous petitions, if any, shall also stand dismissed.
No order as to costs.

SANJAY KUMAR,J

M.GANGA RAO,J

Date:29.11.2018
GJ

