

**THE HON'BLE SRI JUSTICE B.PRAKASH RAO
AND
THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY**

**Review WPMP No.21480 of 2007
in
WRIT PETITION No.3817 of 1996**

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ORDER: (per BPR, J)

Heard both sides.

In this petition, the main grievance of the petitioners herein is to the effect that the order, dated 26.02.2007, in WPMP No.4770 of 2007 was passed in their absence. In support of the same, Sri Kasa Jagan Mohan Reddy, learned counsel appearing for the petitioners filed an affidavit to the effect that the said order was passed virtually in ex parte and necessarily, the matter is to be considered on merits and there are certain objections that compromise said to have been entered into by some of the respondents in some other civil suit, has been sought for disposal of the writ petition in terms of the said compromise.

Having heard the learned counsel and having perused the material, it is to be seen that the petitioners were not heard before the impugned order was passed and it was passed exclusively basing upon the statement made in the affidavit filed in support of WPMP.No.4770 of 2007. In view of the same, we are of the opinion that an opportunity shall be given to the petitioners to dispose of the matter on merits.

This petition is accordingly allowed. The order, dated

26.02.2007, is set aside and the writ petition is restored. Office is directed to post WPMP.No.4770 of 2007 before the regular Court hearing the matters.

B.PRAKASH RAO, J

20th November, 2007

L.NARASIMHA REDDY, J

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