

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

W.A.No. 1063 OF 2017

DATED 31ST JULY, 2017

Between:

Society for Elimination of Rural Poverty,
Rep. by its Chief Executive Officer,
PNBS RTC Complex,
Vijayawada

... Appellant

AND

N.Bhagyavathamma and others

... Respondents

Counsel for the appellant

:

Sri P.Ravi Teja

Counsel for respondent Nos. 1 to 4

:

Smt. M.Shalini

Counsel for respondent No. 5

:

G.P. for PR & RD (A.P.)

Counsel for respondent No. 6

:

G.P. for Finance (A.P.)

Counsel for respondent Nos. 7 to 11

:

Sri S.P.Naidu

THE COURT MADE THE FOLLOWING

JUDGMENT: (*per Hon'ble Sri Justice C.V.Nagarjuna Reddy*)

This Writ Appeal arises out of order dated 07-07-2017 in W.P.M.P.No. 26191 of 2017 in W.P.No. 21304 of 2017, whereby the learned single judge granted *ad interim* direction to the appellant to continue respondent Nos. 1 to 4 in service till they attain the age of 60 years pending the Writ Petition.

2. Learned counsel for the appellant did not dispute the fact that the order passed by the learned single judge is *interim* in nature pending W.P.M.P.No. 26191 of 2017. He has however stated that it has been passed after the appellant filed counter affidavit.

3. In our opinion, as W.P.M.P.No. 26191 of 2017 is still pending, it would be appropriate if, after the appellant filed an application to vacate *interim* order, a final order in W.P.M.P.No. 26191 of 2017 is passed by the learned single judge. Accordingly, the Writ Appeal is disposed of without expressing any opinion on the legality or otherwise of the order under appeal while permitting the appellant to move an application for vacating *interim* order dated 07-07-2017. As respondent Nos. 1 to 4 are directed to continue in service beyond the age of 58 years, the appellant would be entitled to an out of turn hearing as and when such vacation application is filed before the learned single judge.

4. As a sequel to disposal of the Writ Appeal, W.A.M.P.No. 2044 of 2017 shall stand closed as infructuous.

C.V.NAGARJUNA REDDY, J.

GUDISEVA SHYAM PRASAD, J.

Date: 31-07-2017.

JSK