

ITEM NO.19

COURT NO.8

SECTION XII-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 15338/2017

(Arising out of impugned final judgment and order dated 28-04-2017 in WA No. 569/2017 passed by the High Court Of Judicature At Hyderabad For The State Of Telangana And The State Of Andhra Pradesh)

PALLI JAMUNA

Petitioner(s)

VERSUS

KUNDARAPU ANNAPURNA & ORS.

Respondent(s)

Date : 20-03-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.K. AGRAWAL
HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Petitioner(s) Mr. C. S. N. Mohan Rao, AOR
Mr. Lokesh Kumar Sharma, Adv.

For Respondent(s) Mr. S. Udaya Kumar Sagar, AOR
Mr. Mrityunjai Singh, Adv.

Mr. R.Chandra Shekar Reddy, Adv.
Mr. Ananga Bhattacharyya, AOR
Mr. Rohit Rao N., Adv.
Mr. Mukund P. Unny, Adv.
Mr. Devahuti T., Adv.

UPON hearing the counsel the Court made the following
O R D E R

We have heard the learned counsel for the parties and perused the impugned judgment and order dated 28.04.2017 passed by the Division Bench of the High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh in Writ Appeal

No. 569 of 2017.

The facts which are not in dispute are that the petitioner was elected as a President of Mandal Parishad, Medipalli Mandal of Karimnagar District in the State of Telangana. The respondent No. 1 herein who also contested the election for the post of President secured 7 votes out of 15 whereas the petitioner herein secured 8 votes. The election for the post of President was held on 4.07.2014. The election petition was filed by the respondent No. 1 herein on 1.08.2014 challenging the election of the petitioner herein as President of the Mandal Parishad, Medipalli Mandal of Karimnagar District on various grounds. The Election Tribunal has allowed the Election Petition and declared the election of the petitioner herein as a President of the Mandal Parishad as null and void. Against the order of the Election Tribunal allowing the election petition, the petitioner herein had preferred a writ petition which is pending before the learned Single Judge of the High Court. The learned Single Judge also granted an interim order in favour of the petitioner herein against which the respondent No. 1 herein has preferred a writ appeal before the Division Bench of the High Court. The Division Bench by the impugned order has allowed the writ appeal and set aside the interim order passed by the learned Single Judge with certain observations on merits of the case.

In our considered opinion, it would be appropriate and in the interest of justice that we request the learned Single Judge of the High Court to decide the writ petition preferred by the petitioner herein challenging the order of the Election Tribunal, uninfluenced

by any observation made by the Division Bench in the writ appeal, within a period of three months from the date of receipt of a certified copy of the order of this Court and decide the matter in accordance with law. The parties shall not seek any adjournment.

We order accordingly.

With the aforesaid observations and directions, the special leave petition is accordingly disposed of.

Pending applications, if any, also stand disposed of.

(SUSHIL KUMAR RAKHEJA)
COURT MASTER (SH)

(CHANDER BALA)
BRANCH OFFICER