



**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
(SPECIAL ORIGINAL JURISDICTION)**

**WEDNESDAY, THE FIRST DAY OF MAY
TWO THOUSAND AND TWENTY FOUR**

:PRESENT:

THE HONOURABLE SRI JUSTICE G.NARENDAR

AND

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT APPEAL NO: 465 OF 2024

(Writ Appeal under clause 15 of the Letter Patent is filed being aggrieved by the Order dated 01.12.2022 made in W.P.No.11690 of 2021)

Between:

1. The State of Andhra Pradesh, rep by its Special Chief Secretary, Principal Secretary, Water Resource Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The State of Andhra Pradesh, rep by its Secretary Water Resource (R and R) Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
3. The Engineer in Chief, I and CAD Department, P.W.D. Compound Governor Peta, Vijayawada Krishna District.
4. The Superintending Engineer, Water Resource Department, BRR, Vamsadhara Project Circle, Srikakulam
5. The District Collector, Srikakulam

...Appellants/Respondents in W.P.No.11690 of 2021

AND

M. Ganesh Kumar, S/o M Pentaiah, Aged about 20 years. Unemployee, R/o Kondakarakavalasa Village, Chintala Badavanja Post LN Peta Mandal, Srikakulam District - 532458.

...Respondents/Petitioners in W.P.No.11690 of 2021

I.A.No. 2 of 2024:

— Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the orders dt.01.12.2022 made in W.P.No.11690 of 2021 in the interest of justice, Pending disposal of W.A. No. 465 of 2024, on the file of the High Court.

— The Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI GP FOR SERVICES- III, for the Appellants, and of SRI R SATYANARAYANA MURTHY, Advocate for the Respondent, the Court made the following

ORDER:

Heard the learned Government Pleader and Sri. V. Eswaraiah Choudary, learned counsel, representing Sri. R.Satyanarayana Murthi, learned counsel, appearing on behalf of the private respondent.

It is a case of the appellants that a direction came to be issued directing the appellants to consider the case of the respondent/petitioner in the Writ Petition. At an earlier occasion, the appellants considered the application of the father of the petitioner and rejected the same on the ground that the same being belated i.e., after 14 years, and that on the same ground, the application of the respondent/petitioner also came to be rejected.

In compliance with the direction issued by the learned Single Judge, that despite disposal, Contempt Case has been filed and the respondent/petitioner is pressing for hearing on the Contempt Case.

It is submitted that delay occurred in view of the fact that the appellants were under the impression that they had complied with the order but now with the changed circumstance, that the learned Single Judge insisting upon hearing Contempt Case, they are constrained to file the instant Writ Appeal.

It is further submitted that the respondent/petitioner has not challenged the order passed by the appellants but on the other hand, he is pressing for adjudication of the Contempt proceedings.

In that view of the matter, pending disposal of I.A.No.2 of 2024, there shall be interim suspension of the order dated 01.12.2022 in W.P.No.11690 of 2021.

List the appeal on 07.05.2024.

In the meantime, objections if any in I.A.No.2 of 2024, shall be filed.

Sd/- B. CHITTI JOSEPH
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER
For ASSISTANT REGISTRAR

To,

1. M. Ganesh Kumar, S/o M Pentaiah, Aged about 20 years. Unemployee, R/o Kondakarakavalasa Village, Chintala Badavanja Post LN Peta Mandal, Srikakulam District - 532458. (by RPAD)
2. Two CCs to GP FOR SERVICES- III, High Court of Andhra Pradesh [OUT]
3. One CC to SRI. R SATYANARAYANA MURTHY Advocate [OPUC]
4. Two spare copies

PSR

HIGH COURT

GN,J
&
HN,J

DATED:01/05/2024

NOTE: LIST THE APPEAL ON 07.05.2024.

ORDER

WA.No.465 of 2024

INTERIM SUSPENSION

