

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

[3310]

TUESDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT:

THE HONOURABLE DR JUSTICE K MANMADHA RAO

IA No. 1 OF 2022

IN

WP NO: 39277 OF 2013

Between:

Agricultural Market Committee, Nuzvid, Krishna District, rep.by its Special Secretary.

...Petitioner/2nd Respondent
(Petitioner in WP 39277 OF 2013
on the file of High Court)

AND

1. M/s. Charoen Pokphand Seeds (India) Private Limited, Regd.Office at 1021/1, Service Road, Geetanjali Layout, New Thippasandra, HAL, III Stage, Bangalore-560 075 having got its factory at Mirjapuram Village, Nuziveedu Mandal, Krishna District, rep. by its Authorised Signatory.
...Respondent/Petitioner
2. State of Andhra Pradesh, rep. by its Principal Secretary, Agriculture & Cooperation Department, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.
...Respondent/Respondent

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to permit/ grant leave to take the counter/vacate on the file and adjudicate the writ petition for it's appropriate disposal, pending disposal of WP No. 39277 of 2013, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of High Court, dated 03.01.2014, 21.09.2015 18.10.2022 & 01.11.2022 made herein and upon hearing the arguments of SRI B.PRAKASAM, Standing Counsel for the petitioner, Smt B.Rajya Lakshmi, learned counsel represented on behalf of Sri V.S.R. Anjaneyulu, learned counsel Respondent No.1 and of learned GP for Agriculture for the Respondent No.2 the Court made the following:

ORDER:

Pursuant to the order passed by this Court on 01.11.2022, the 2nd respondent has filed this application to permit/grant leave for filing the counter-affidavit/vacate stay petition.

Heard Mr.B.Praksam, learned Senior Standing Counsel for AP AMCs and perused the material on record.

As can be seen from the affidavit filed by the 2nd respondent in support of the application, she has not explained the delay caused in filing the counter-affidavit since 2013 till date. On the other hand, she came forward with a counter affidavit/vacate stay petition.

However, I.A.No.1 of 2022 is allowed, subject to payment of costs of Rs.10,000/- (Rupees Ten Thousands only) to the credit of High Court of Andhra Pradesh Employees Association, High Court Premises, Amaravati, within two days from today. It is made clear that on payment of costs only, the counter-affidavit will be taken into consideration.

**SD/-G.HELMA NAIDU
ASSISTANT REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Agriculture & Cooperation Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravati, Guntur
2. The Authorised Signatory, M/s. Charoen Pokphand Seeds (India) Private Limited, Regd.Office at 1021/1, Service Road, Geetanjali Layout, New Thippasandra, HAL, III Stage, Bangalore-560 075 having got its factory at Mirjapuram Village, Nuziveedu Mandal, Krishna District.(1 & 2 By RPAD)
3. One CC to SRI.V.S.R.ANJANEYALU Advocate [OPUC]
4. Two CCs to GP for Agriculture, High Court Of Andhra Pradesh. [OUT]
5. One CC to SRI.B.PRAKASAM, STANDING COUNSEL [OPUC]
6. One CC to Sri.V.S.R.Anjaneyulu, Advocate (OPUC)
7. One spare copy

SRL

HIGH COURT

Dr.KMRJ

DATED:08/11/2022

NOTE: POST ON 22.11.2022

ORDER

I.A.NO.1 OF 2022

IN

WP.No.39277 of 2013

DIRECTION

