

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NOS. 2665-2666/2016

BOYAPATI SRINIVASA APPA RAO & ANR.

APPELLANT(S)

VERSUS

V KAMESWARA RAO & ORS.

RESPONDENT(S)

O R D E R

Application for discharge of Advocate-on-Record is allowed.

These appeals arise out of the order passed by the High Court of Judicature at Hyderabad in Writ Petition No. 28057/2012 and Writ Petition (SR) No. 138912/2014.

Respondents, namely, V Kameswara Rao and G. Prajapathi Rao, who were the writ petitioners before the High Court in the aforestated two writ petitions have filed affidavit(s) before this Court praying that they may be permitted to withdraw the writ petitions itself.

Respondent No. 3, Sri Durga Malleswara Educational Society, had also preferred Writ Petition No. 27867/2011 for the similar relief(s) before the High Court. When the writ petition was dismissed by the High Court, respondent No. 3, Sri Durga Malleswara Educational Society, preferred a special leave petition, that is, SLP (C) No. 7825/2012, which came up for hearing on 19.03.2012. On the said date, respondent No. 3, Sri Durga Malleswara Educational

Society, prayed for permission to withdraw Writ Petition No. 27867/2011. The prayer was found unusual, but this Court accepted the request and permitted respondent No. 3, Sri Durga Malleswara Educational Society, to withdraw Writ Petition No. 27867/2011 with liberty to avail other appropriate remedies.

Mr. Jayanth Muth Raj, learned senior counsel appearing for respondent No. 3, Sri Durga Malleswara Educational Society, would object to the prayer made by respondents, namely, V Kameswara Rao and G. Prajapathi Rao, seeking permission to withdraw the writ petitions itself. However, as the similar prayer made by respondent No. 3, Sri Durga Malleswara Educational Society, was allowed by this Court, it does not behove respondent No. 3, Sri Durga Malleswara Educational Society, to object such a prayer. Accordingly, we permit the respondents, namely, V Kameswara Rao and G. Prajapathi Rao, to withdraw their respective writ petitions, that is, Writ Petition No. 28057/2012 and Writ Petition (SR) No. 138912/2014.

Accordingly, the aforesaid writ petitions are dismissed as withdrawn and consequently, the present appeals are dismissed as infructuous.

As stated above, Mr. Jayanth Muth Raj, learned senior counsel appearing for respondent No. 3, Sri Durga Malleswara Educational Society, while objecting to the withdrawal of the writ petitions has prayed for liberty to revive the civil proceedings, which were pending in the form of Appeal Suit No. 118/2012. The said proceedings were disposed of in view of the fact that the award itself was set aside in the two writ petitions, which now have been

permitted to be withdrawn.

Accordingly, liberty is reserved in favour of respondent No. 3, Sri Durga Malleswara Educational Society, to revive Appeal Suit No. 118/2012, if it so desires. It goes without saying that the appeal suit shall be decided on its own merits.

Pending application(s), if any, shall stand disposed of.

.....J.
(PRASHANT KUMAR MISHRA)

.....J.
(AUGUSTINE GEORGE MASIH)

NEW DELHI
JUNE 03, 2025.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal Nos. 2665-2666/2016

BOYAPATI SRINIVASA APPA RAO & ANR.

Appellant(s)

VERSUS

V KAMESWARA RAO & ORS.

Respondent(s)

IA No. 139219/2025 - DISCHARGE OF ADVOCATE ON RECORD, IA No.
159513/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 03-06-2025 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
(PARTIAL COURT WORKING DAYS BENCH)

For Appellant(s) Mr. Dama Sheshadri Naidu, Sr. Adv.
Mr. Pawanshree Agrawal, AOR
Ms. Aakriti Goel, Adv.

For Respondent(s) Mr. Ravi Shankar Jandhyala, Sr. Adv.
Mr. Kaushik Choudhury, AOR
Mr. Saksham Garg, Adv.

Mr. C. K. Sasi, AOR
Ms. Meena K Poullose, Adv.

Mr. Jayanth Muth Raj, Sr. Adv.
Mr. Sureshan P., AOR
Mrs. Malavika Jayanth, Adv.
Ms. Isha Singh, Adv.

Mr. P B Suresh, Sr. Adv.
Mr. Aneesh Mittal, AOR
Ms. Komal Mittal, Adv.

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

Application for discharge of Advocate-on-Record is allowed.

The appeals are dismissed as infructuous in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(BABITA PANDEY)
ASTT. REGISTRAR-cum-PS

(AKSHAY KUMAR BHORIA)
COURT MASTER (NSH)

(Signed order is placed on the file)