

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE TWENTY NINETH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE G. BIKSHAPATHY

and

THE HON'BLE SRI JUSTICE B. SESHASAYANA REDDY

WRIT APPEAL NO : 986 of 2003

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 19-07-2003 in W.P.NO 10275 OF1993 on the file of the High Court.)

Between:

1. The A.P. Genco rep. By its Chairman & Managing
Director, Vidyut Soudha, Hyderabad.
2. The Chief Engineer(Electricity)/O&M, Vijayawada
Thermal Power Station, Ibrahimpatnam, Krishna District.

..... APPELLANTS

AND

Ch. Pushpa Kumari, D/o. Narayana Rao, aged 32 years,
Governorpet, Vijayawada, Krishna District.

.....RESPONDENT

Counsel for the Appellants :MR.K.SESHARAJYAM

Counsel for the Respondent: MR. VEDULA VENKATARAMANA

The Court made the following :

ORDER:

The Writ Appeal is filed against the order passed by the learned single Judge in W.P.No.10275 of 1993 dated 19-07-2003. The writ petition was filed by the employee Ch. Pushpa Kumari challenging the rejection of her case for regular appointment and sought for appropriate direction. The learned single Judge after considering the matter held as follows:

‘Therefore the action of the respondents in rejecting the case of the petitioner is illegal and contrary to the aforesaid memos. Dated 1608-1995 and 25-02-1991. Accordingly the rejection order of the respondent No.2 dated 18-06-1993 rejecting the case of the petitioner is set aside and the respondents are directed to consider the case of the petitioner in the light of the Memo. Dated 26-08-1991 and if there is no vacancy available as per the memo, dated 25-02-1991, the case of the petitioner may be considered in any future vacancy.

Against the said order, the present Writ Appeal has been filed by the management.

Learned Counsel appearing for the appellant-management submits that the order of the learned single Judge is not sustainable in as much as the circular was issued

giving only one time benefit and it cannot be the enure to the benefit of the permanent employees who are covered by the scheme and therefore the order is liable to be set aside. We are afraid. We cannot accept the contentions raised by the learned Counsel appearing for the appellant.

Learned single Judge recorded a finding that the rejection of the case of the petitioner was illegal and contrary to the memo issued by the respondents dated 16-08-1995 and 28-02-1995 directing them to consider the case afresh in pursuance of the memo dated 26-08-1995. We do not find any error in the order passed by the learned single Judge. We do not find any merits in the Writ Appeal.

5. Accordingly, the Writ Appeal is dismissed. No costs.

29-06-2004

To

1. The Chairman & Managing Director, A.P. Genco, Vidyut Soudha, Hyderabad.
2. The Chief Engineer(Electricity)/O&M, Vijayawada
Thermal Power Station, Ibrahimpatnam, Krishna District.
3. Two CCs

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