

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

PRESENT

HONOURABLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA
AND
THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT APPEAL NOS: 226 & 227 OF 2022

WA NO: 226 OF 2022

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 15-09-2021 passed in W.P No. 6132 of 2021 on the file of the High Court.

Between:

1. The State of Telangana, Rep. by its Principal Secretary to Government Panchayat, Raj and Rural Development Department, Telangana Secretariat, Hyderabad 500 022
2. The Engineer in Chief, Mission Bhageeradha Intra Circle, Ramanand Teerth Grameena Nirman Bhavan, Errum Manzil, Hyderabad
3. The Superintendent Engineer, Mission Bhageeradha Intra Circle, Khammam 507 001
4. The Executive Engineer, Kothagudem Division, Bhadrakali Kothagudem District

...APPELLANTS/RESPONDENTS

AND

Y. Subramanyam, S/o Subbanna, Age 53 years Occ. NMR Work Inspector, O/o, Dy Executive Engineer MB Intra, Intra Subdivision Aswaraopet, Kothagudem, Bhadrakali Kothagudem, District.

...RESPONDENT/petitioner

IA NO: 1 OF 2022

Petition under Section 5 of Limitation Act praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Condone Delay of 163 days in filling of writ Appeal against the order dated 15-09-2021 W.P No. 6132 of 2021.

IA NO: 2 OF 2022

Petition under Section 151 CPC 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 passed dated 15/09/2021 in WP.No.6132 of 2021, pending disposal of the Writ Appeal.

Counsel for the Appellants: GP FOR SERVICES II

Counsel for the Respondent: M/S. B RAJESWARI

WA NO: 227 OF 2022

Writ Appeal under clause 15 of the Letters Patent preferred Against the Order Dated 15/09/2021, passed in W.P. No. 4837 of 2021 on the file of the High Court.

Between:

1. The State of Telangana, Rep. by its Principal Secretary to Government, Panchayat Raj and Rural Development Department, Telangana Secretariat Hyderabad 500 022
2. The Engineer-in- Chief, Mission Bhageeradha Intra Circle Ramanand Teerth Grameena Niman Bhavan, Errum Manzil, Hyderabad
3. The Superintendent Engineer, Mission Bhageeradha, Intra Circle Khammam 507 001
4. The Executive Engineer, Khammam Division Khammam dist
5. The Executive Engineer, Kothagudem Division, Bhadrak-Kothagudem District.

...APPELLANTS/RESPONDENTS

AND

1. V.Srinivas Rao, S/o Satyam age 50 years, Occ. Driver, O/o. Dy.Executive Engineer, Mission Bhageeratha, Intra Sub-Division Manuguru, Mandal, Kothagudem Bhadrak-Kothagudem, District.
2. B. Venkatram Reddy, S/o Raghava Reddy Age 50 years, Occ. Driver, O/o. Dy.Executive Engineer, Mission Bhageeratha, Intra Sub-Division Manuguru, Mandal, Kothagudem Bhadrak-Kothagudem, District.
3. Md.Yusuf, S/o Md.Afzal Age 51 years, Occ. Driver, O/o. Dy.Executive Engineer Mission, Bhageeratha, Intra Sub-Division Manuguru, Mandal, Kothagudem Bhadrak-Kothagudem, District.
4. P.Nageshwar Rao, S/o Yellaiah, Age 45 years, Occ. Night Watchman, O/o. Dy.Executive Engineer Mission Bhageeratha, Intra Sub-Division Manuguru, Mandal, Kothagudem Bhadrak-Kothagudem, District.
5. K.Venkateshwarlu, S/o Bisham, Age 49 years, Occ. Pump Mechanic, O/o. Dy.Executive Engineer Mission Bhageeratha, Intra Sub-Division Manuguru, Mandal, Kothagudem Bhadrak-Kothagudem, District.
6. B.Mamadha, S/o Yesurathinam, Age 49 years, Occ. Pump Mechanic, O/o. Dy.Executive Engineer, Mission Bhageeratha, Intra Sub-Division Manuguru, Mandal, Kothagudem Bhadrak-Kothagudem, District.

...RESPONDENTS/PETITIONERS

IA NO: 1 OF 2022

Petition under Section 5 of Limitation Act praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Condone Delay of 158 days in filling of writ Appeal against the order dated 15/09/2021 in WP.No.4837 of 2021

IA NO: 2 OF 2022

Petition under Section 151 CPC 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 passed dated 15/09/2021 in WP.No.4837 of 2021, pending disposal of the Writ Appeal

Counsel for the Appellants: GP FOR SERVICES II

Counsel for the Respondent: M/S. B RAJESWARI

The Court delivered the following:

THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA
AND

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT APPEAL Nos. 226 & 227 of 2022

COMMON JUDGMENT: *(For the Hon'ble the Chief Justice Satish Chandra Sharma)*

Learned counsel for the appellants is fair enough in stating before this Court that the issue involved in the present cases stands concluded on account of the judgment delivered by a Division Bench of the unified High Court for the States of Telangana and Andhra Pradesh in the case of **P. Khadar Basha vs. State of Andhra Pradesh**¹.

In the light of the aforesaid, no further orders are required to be passed in the present writ appeals and the same stand disposed of in terms of the judgment delivered by the Division Bench in the case of **P. Khadar Basha** (supra).

Pending miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

1-2017(3) ALD 638(DB)

//TRUE COPY//

SD/-A.V.S.S.C.S.M.SHARMA
DEPUTY REGISTRAR

GB

SECTION OFFICER

To,

1. 2 CCs to M/S. B Rajeswari, Advocate [OPUC]
2. Two CCs to GP for Services II, High Court for the State of Telangana. [OUT]
3. Two CD Copies.
4. One Spare Copy

PM

GB

HIGH COURT

DATED:31/03/2022



COMMON JUDGMENT

WA.Nos.226 & 227 of 2022

Disposing of the WAs
Without costs.

(3) Copies
Smt
10/3/22