HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY ,THE SECOND DAY OF MAY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT APPEAL NO: 366 OF 2025

Writ Appeal under clause 15 of the Letters Patent appeal preferred against the order dated 02-01-2025 in W P No 41110/2015 and on the file of the High Court.

Between:

K. Naveen Babu., S/o K. Subba Rao Aged 60 years, Occ. Conductor E-201847 Jeedimetla Depot, R/o LIG 137/2, IV Phase, KPHB Colony Hyderabad - 500072. (Now Presently R/o.Plot No. 4H.No. 3-12-28-4, V-GUARD lane Srinivas Nagar colony MAN L.B.Nagar, Rangareddy T.S)

...PETITIONER/APPELLANT

AND

1. The Regional Manager, Secunderabad Region TSRTC (TGSRTC), Jubilee Bus Station Complex Secunderabad.
2. The Divisional Manager, Jeedimetla Bus Depot TSRTC (TGSRTC), Jeedimetla Ranga Reddy District.
3. The Depot Manager, Jeedimetla Bus Depot, T.S.R.T.C (TGSRTC), Ranga Reddy District.

...RESPONDENTS/RESPONDDENTS

IA NO: 1 OF 2025

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 order Dt.2-1-2025 made in W.P.No.41110/2015, pending disposal of the Writ Appeal in the interest of justice

Counsel for the Appellant: Ms. V. PREETI REDDY

Counsel for the Respondents: SRI R. ANURAG (SC FOR TSRTC)

The Court made the following: ORDER

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HON'BLE SMT. JUSTICE RENUKA YARA

WRIT APPEAL No.366 of 2025

JUDGMENT: *(Per the Hon'ble the Acting Chief Justice Sujoy Paul)*

Ms.V.Preeti Reddy, learned counsel for the appellant and Sri R.Anurag, leaned Standing Counsel for Telangana State Road Transport Corporation, for the respondents.

2. Heard on admission.

3. A learned Single Judge of this Court dismissed W.P.No.41110 of 2015 dated 02.01.2025 mainly on the ground of inordinate delay of seven years.

4. Learned counsel for the appellant fairly submits that the punishment of dismissal from service was inflicted on the appellant on 31.10.2007 which was affirmed in appeal on 03.01.2008 and in revision on 14.08.2008. Thereafter, the appellant preferred a review on 03.10.2013 which has not been decided till date. In this backdrop, there is no delay in filing the writ petition.

5. Learned Standing Counsel for the respondents supported the order of the learned Single Judge.

6. The learned Single Judge in W.P.No.41110 of 2015 dated 02.01.2025 opined as under:-

> "5. It may be noted that the petitioner was removed from service of respondent-Corporation in 2007 and the Appeal and Revision petitions were rejected in the year 2008. Thereafter, petitioner approached this Court with this writ petition in the year 2015 i.e., after a lapse of 7 years.
>
> 6. In the judgment in W.A.Nos.7660 of 2018 and 593 of 2016, the Full Bench of this Court, while referring to the judgment in **Kulwant Singh Gill v. State of Puniab**, observed that ***"the Court is entitled to take into consideration the fact as to whether the petitioner had chosen to sit over the matter and wake up afier the decision of the Court; if it is found that the petitioner approached the Court with unreasonable delay, the same may disentitle him to obtain a discretionary relief. Long delay disentitles a party to the discretionary relief under Articles 32 and 226 and persons who had slept over their rights for long and elected to wake up when they had the impetus from the judgment of similarly situated persons." It was further held in the Writ Appeal that "the delay of 5 to 18 years was held to be inordinate delay in preferring a writ petition under Article 226 of the Constitution of India.***
>
> 7. Admittedly, there is an unexplained and exorbitant delay of 7 years in approaching the Court and there is no plausible explanation forthcoming from the petitioner for squatting over the alleged grievance for so long. Further, it cannot be said that no third party rights would get affected either directly or indirectly by entertaining such petitions after an inordinate delay of 7 years. In that view of the matter, this Court is not inclined to exercise extraordinary jurisdiction for considering discretionary relief under Article 226 of the Constitution of India in the facts of the present case."

7. On a specific query from the Bench, learned counsel for the appellant fairly submitted that there exists no enabling provision to prefer review before the employer. Thus, it is clear that the last order of revision was passed on 14.08.2008 and the writ petition was filed in the year 2015. There is an enormous, unexplained and inordinate delay in approaching the court. Mere filing of review which is not tenable and waiting for its outcome cannot be treated as a justifiable reason for approaching the Court belatedly. The learned Single Judge has taken a plausible view which deserves a stamp of approval from this Bench.

8. Admission is declined.

9. Accordingly, the writ appeal is **dismissed**. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

SD/-N. SRIHARI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Ms. V. PREETI REDDY ,Advocate [OPUC]
2. One CC to SRI. R .ANURAG (SC FOR TSRTC) [OPUC]
3. Two CD Copies

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HIGH COURT

DATED:02/05/2025



JUDGMENT

WA.No.366 of 2025

DISMISSING THE WRIT APPEAL WITHOUT COSTS

21/05/25