IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY,THE TWENTY FIFTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

IA NO.1 OF 2025
IN/AND
WRIT APPEAL NO: 851 OF 2025

Writ Appeal under clause 15 of the Letters Patent Appeal preferred against order dated. 16-11-2023, in WP.No. 21980 of 2013 on the file of the High Court.

Between:

The Depot Manager, APSRTC Adilabad Bus Depot, Adilabad District.

...APPELLANT

AND

1. The Industrial Tribunal-cum-Labour Court, Godavarikhani, Karimnagar District, Rep. by its Chairman.
2. Sri V. Gangadhar, S/o Pothanna, Aged about 38 years, R/o Degaon Village and Post Bhainsa Mandal, District Adilabad.

...RESPONDENTS

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 condone the delay of 594 days in filing the present appeal

IA NO: 3 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 dated 16.11.2023 passed by the Learned Single Judge in W.P.No.21980 of 2013 in the interest of justice

Counsel for the Appellant: SRI. U. SHANTHI BHUSHAN RAO
(SC FOR TGSRTC)
Counsel for the Respondent No.1: GP FOR LABOUR
Counsel for the Respondent No.2: Ms. KAUSALYA REP Ms. G. SUDHA
The Court made the following: COMMON JUDGMENT

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

AND

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

I.A.No.1 of 2025
in/and
Writ Appeal No.851 of 2025

COMMON ORDER:

Heard Mr.U.Shanthi Bhushan Rao, learned counsel for the appellant and Ms.Kausalya, learned counsel represents Ms.G.Sudha, learned counsel for respondent No.2.

2. I.A.No.1 of 2025 is filed to condone the delay of 594 days in filing the present appeal.

3. The explanation made in paragraphs 12 and 13 of the accompanying affidavit, which are quoted hereunder, is not sufficient to condone the delay of 594 days in filing this appeal if at all the appellant-Corporation was aggrieved by the impugned order passed by the learned writ Court:

> "12. It is respectfully submitted that the Learned Single Judge of this Hon'ble Court passed the impugned order on 16.11.2023 in W.P.No.21980 of 2013. After receipt of the

order, the same was enclosed and sent to office of the Standing Counsel for legal opinion. However, the file was mixed with the bundles at the office of the Standing Counsel. On the advice of Standing Counsel, Corporation has decided to challenge the impugned order passed by the Learned Single Judge before Divisional Bench and sent the entire case file to the office of Standing Counsel for preferring appeal. Subsequently, Standing Counsel was changed and New Standing Counsel was appointed through G.O. The cases were transferred from old Standing Counsel to new Standing Counsel. In the meantime, it was noticed the Appeal was not drafted and initiated to draft the Appeal.

Due to above reasons the appeal could not be filed in time. Therefore, there is a delay of (594) days in filing the Writ Appeal, the delay caused is neither wilful nor wanton but for the inadvertent reasons explained above, unless this Hon'ble Court condones the delay in filing the present Writ Appeal, the Appellant Corporation would be put to serious and irreparable loss. The grounds of appeal may be read as part and parcel of this affidavit.

13. It is therefore prayed that this Hon'ble Court may be pleased to dispense with the filing of the certified copy of the order of the learned single Judge passed in W.P.No.21980 of 2013, dated 16.11.2023 and pass such further order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case."

4. The learned writ Court has refused to entertain the challenge to the award of the learned Labour Court by which the learned Labour Court had set aside the order of

removal from service of respondent No.2 in I.D.No.172 of 1997 dated 15.03.2013.

5. Therefore, in the facts and circumstances of the case, we are not inclined to entertain this appeal which suffers from gross and unexplained delay.

6. Accordingly I.A.No.1 of 2025 is dismissed. Consequently, the instant Writ Appeal is also dismissed. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/-MOHD.ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. U. SHANTHI BHUSHAN RAO ,(SC FOR TGSRTC) [OPUC]
2. Two CCs to GP FOR LABOUR ,High Court for the State of Telangana at Hyderabad [OUT]
3. One CC to Ms. G. SUDHA, Advocate [OPUC]
4. Two CD Copies

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HIGH COURT

DATED:25/08/2025



COMMON JUDGMENT

IA NO.1 OF 2025 IN/AND
WA.No.851 of 2025

DISMISSING BOTH THE IA AND WRIT APPEAL WITHOUT COSTS

(7) PA
8/10/25