IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY,THE TWENTY SIXTH 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

I.A.No.2 OF 2025
IN/AND
WRIT APPEAL NO: 919 OF 2025

Writ Appeal under clause 15 of the Letters Patent Writ Appeal preferred against the order dated 26/06/2023 in W P No 16882 of 2007 and on the file of the High Court.

Between:

Nallala Yellaiah, E.310434,Cleaner, S/o. Mallaiah, aged about 59 Years, R/o Rajapoor Post and Village, Shankarapatnam Mandal, Karimnagar District.

...APPELLANT

AND

1. The Depot Manager, APSRTC (Now TGSRTC) Utnoor Depot, Adilabad Dist.
2. The Regional Manager, APSRTC (Now TGSRTC), Adilabad Region, Adilabad Dist.

...RESPONDENTS

IA NO: 2 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 752 days in filing the Writ Appeal

Counsel for the Appellant: SRI. G. RAVI MOHAN SENIOR COUNSEL REP SRI NARESH KUMAR GORIGE
Counsel for the Respondents: Ms. U. SHANTHI BHUSHAN RAO (SC FOR TGSRTC)

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.2 of 2025

in/and

WRIT APPEAL No.919 of 2025

JUDGMENT:

Learned Senior Counsel Sri G.Ravi Mohan, representing learned counsel Sri G.Naresh Kumar, appears for the appellant.

Sri U.Shanthi Bhushan Rao, learned Standing Counsel for the Telangana State Road Transport Corporation, appears for the respondents.

2. We have heard the learned counsel for the parties on the prayer for condonation of delay of 752 days in preferring the instant appeal.

3. The only explanation for delay in preferring this appeal is at paragraphs 6 and 7, which are quoted hereunder:

"6. It is submitted that consequent to the orders passed by the Learned Single Judge I was informed by my counsel about the relief granted in the month of August 2023 but I could not approach my counsel as my wife was suffering with chronic diseases and so also I was in the impression that the grant of increments would be automatic if continuity of service is granted. Than so there was a fixation of pay in the month of March 2025 where I came to know of increments were denied.

7. It is submitted that apart from the above reasons due to financial constrains I could not approach my advocate in time for filing Writ Appeal. Hence the delay in filing W.A, the delay is neither wilful nor wanton."

4. The aforesaid statements are not supported by any medical documents either. The appellant is in service. Learned writ court has modified the punishment by granting continuity of service for the purpose of claiming terminal benefits. The order of removal dated 16.05.1998 was modified into reinstatement by the revisional authority itself on 14.08.1998. The industrial dispute raised by the workman/petitioner/appellant was dismissed.

5. Learned Senior Counsel for the appellant submits that removal of the appellant from service in the year 1998 was only for his absence from duties from 19.12.1997 to

08.01.1998 and the appellant was reinstated after the order of the revisional authority. The appellant was not aware after the passing of the impugned judgment that he will not get the benefit of notional fixation of pay even after grant of continuity of service. Therefore, the delay is adequately explained.

6. Learned Standing Counsel for the respondents has opposed the prayer for condonation of delay.

7. On hearing the learned counsel for the parties and on the grounds taken in the interlocutory application, we are not satisfied that there is any explanation sufficient to condone such an inordinate delay.

8. Therefore, I.A.No.2 of 2025 is dismissed. Consequently, the writ appeal is also dismissed.

SD/-MOHD.ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Depot Manager, APSRTC (Now TGSRTC) Utnoor Depot, Adilabad Dist.
2. The Regional Manager, APSRTC (Now TGSRTC), Adilabad Region, Adilabad Dist.
3. One CC to SRI. NARESH KUMAR GORIGE ,Advocate [OPUC]
4. One CC to SRI. U. SHANTHI BHUSHAN RAO (SC FOR TGSRTC) [OPUC]
5. Two CD Copies

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LS

HIGH COURT

DATED:26/08/2025

COMMON JUDGMENT

IA NO.2 OF 2025 IN/AND
WA.No.919 of 2025



DISMISSING BOTH THE IA AND WRIT APPEAL WITHOUT COSTS

(7) PA
8/10/25