IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE TWELFTH DAY OF NOVEMBER 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: 1232 OF 2025

Writ Appeal under clause 15 of the Letters Patent Preferred Against Order Dated 17/06/2022 in WP.No. 4226 of 2004. on the file of the High Court.

Between:

S. Janardhan Rao, S/o Late. Hanumantha Rao, Aged about. 75 years, Occ. ME (Rtd), R/o Flat,No.203,Prakruthi Residency, Spring Field Colony, Po. Jeedimetla-500067 Hyderabad.

...APPELLANT/WRIT PETITIONER

AND

1. Northern Power Distribution Co of Telangana Ltd, Warangal Rep by its Chairman and Managing Director.
2. The Chief Engineer(HRD), Northern Power Distribution Co of Telangana Ltd, Warangal.

...RESPONDENTS/ 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 1204 days in filing of Writ Appeal against the order in W.P. No. 4226 of 2004 dated.17/06/2022

Counsel for the Appellant: SRI M.MEHDI HUSSAIN
Counsel for the Respondent: SRI A.CHANDRA SHAKER, SC FOR TSNPDCL

The Court made the following: 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.1232 of 2025

JUDGMENT:

Learned counsel Sri M.Mehdi Hussain appears for the appellant.

Sri A.Chandra Shaker, learned Standing Counsel for Northern Power Distribution Company of Telangana Limited, appears for the respondents.

2. We have heard the learned counsel for the parties on the prayer for condonation of delay of 1204 days in preferring this appeal against the impugned judgment dated 17.06.2022 passed in W.P.No.4226 of 2004.

3. The appellant has taken the plea of death of his mother on 20.06.2023 and other works and also medical ground of he being the heart patient. He has undergone clinical test of CT Coronary Angiogram on 21.04.2025 and advised rest. When he recovered, he filed this appeal with

a delay of 1204 days, which is neither wilful nor unexplained.

4. Learned counsel for the appellant submits that the appellant was aggrieved to prefer the writ petition by the part of the order of the respondents whereby his suspension period was treated as *dies non*, though the penalty of withholding of three increments with cumulative effect was imposed. The appellant retired on 20.06.2003. Immediately thereafter, the appellant preferred the writ petition in the year 2004, which stood decided in June, 2022. On the appellant's representation, vide memo dated 09.06.2023, the period of suspension has been treated as "on duty" instead of "*dies-non*". The respondent No.1 - Chairman and Managing Director, also gave instructions to pay the salary and allowances to the appellant for the period from 01.07.2002 to 07.05.2003 duly adjusting the subsistence allowance already paid to him for the above period. The consequential benefits, if any, arose out of treating the period of suspension as on duty have also been ordered to be paid. Learned counsel for the appellant

submits that the delay may be condoned. The appellant may be allowed to make a representation for reconsideration of his penalty.

5. Learned Standing Counsel for the respondents opposed the prayer.

6. Upon hearing the learned counsel for the parties and upon consideration of the grounds urged, we are not satisfied that sufficient cause has been shown for explaining the delay of 1204 days in preferring the instant appeal. Therefore, we are not inclined to entertain the appeal on the grounds of delay.

7. The interlocutory application is, therefore, dismissed. Consequently, the appeal is also dismissed.

SD/-A.V.S. PRASAD
DEPUTY REGISTRAR

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SECTION OFFICER

To

1. One CC to SRI M.MEHDI HUSSAIN, Advocate [OPUC]
2. One CC to SRI A.CHANDRA SHAKER, SC FOR TSNPDCL [OPUC]
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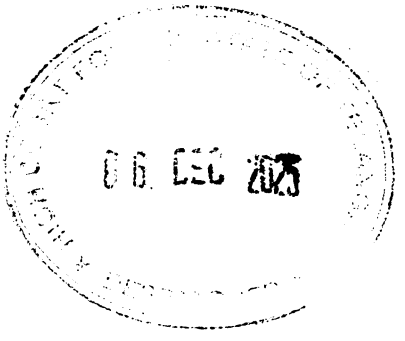
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LS

HIGH COURT

DATED:12/11/2025

JUDGMENT

IA.No.1 OF 2025
IN/AND
WA.No.1232 of 2025



DISMISSING THE IA AND WRIT APPEAL WITHOUT COSTS

(5)
kpr
20/11/25