



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

: PRESENT:

**HONOURABLE SRI JUSTICE D.V.S.S.SOMAYAJULU
AND
THE HONOURABLE SRI JUSTICE V SRINIVAS**

WRIT APPEAL NO: 443 OF 2023

(Writ Appeal under Clause 15 of the Letters Patent, against the order made in
WP.No.8816 of 2023, dated 12.04.2023, on the file of the High Court)

Between:

1. The APGENCO, Rep. by its Chairman & Managing Director, Vidyut Soudha, Gunadala, Vijayawada, Andhra Pradesh - 520 004.
2. The Director (HR), APGENCO, Vidyut Soudha, Gunadala, Vijayawada, Andhra Pradesh - 520 004.
3. The Dr. Narla Tata Rao Thermal Power Station, Rep. by its Chief Engineer (O & M), Ibrahimpatnam, Vijayawada, NTR District, Andhra Pradesh.

...Appellants/Respondents No.5 to 7.

AND

1. Sk Mohammad Vahad, S/o. Abdul Azeez, Age 60 years, Occ Rtd. Formen Gr-IV, R/o. UD/ID-625, Sector, New B Colony, Kondapally, Ibrahimpatnam, NTR District.

...Respondent No.1/Petitioner.

2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Finance Department, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
3. The Principal Secretary, Government of Andhra Pradesh, Energy Department, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
4. The Principal Secretary, Government of Andhra Pradesh, General Administration Department, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
5. The AP TRANSCO, , Rep. by its Chairman AND Managing Director, Vidyut Soudha, Gunadala, Vijayawada, Andhra Pradesh-520 004.

...Respondents/Respondent No.1 to 4.

I.A.No.1 OF 2023:

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings in pursuance of the orders, dated 12.04.2023 made in W.P.No.8816 of 2023, pending disposal of the W.A.No.443 of 2023 on the file of High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri M. VIDYA SAGAR, (STANDING COUNSEL FOR APGENCO) Advocate for the Petitioners, PEETA RAMAN and of SRI PEETHA RAMAM, Advocate for the Respondent No.1 and of GP FOR FINANCE for the Respondent No.2 and of GP FOR ENERGY for the Respondent No.3 and of GP FOR GENERAL ADMINISTRATION DEPARTMENT for the Respondent No.4 and of SRI A. KOUSIK, Advocate for the Respondent No.5, the Court made the following

ORDER:

“Learned Single Judge passed the impugned order by relying upon the earlier order passed in W.P.No.8169 of 2023. The said order was stayed by this Bench. The learned Advocate General for the State and the learned counsel for the respondent had finished arguments in the case relating to similarly placed employees corporations etc., In this case also the writ petitioner retired on 30.06.2022 and the impugned order was passed on 12.04.2023. For the very same reasons that were mentioned earlier namely that granting of the interim order virtually grants final order is not approved by the Supreme Court of India and as the entire issue has been argued threadbare in connected appeals and are reserved for orders. There shall be suspension of the order as prayed for.

List along with W.P.No.392 of 2023 after Summer Vacation, 2023.”

//TRUE COPY//

Sd/- K.KASIRAO ACHARI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. Sk Mohammad Vahad, , S/o. Abdul Azeez, Age 60 years, Occ Rtd. Formen Gr-IV, R/o. UD/ID-625, Sector, New B Colony, Kondapally, Ibrahimpatnam, NTR District.
2. The Principal Secretary, Finance Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
3. The Principal Secretary, Government of Andhra Pradesh, Energy Department, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
4. The Principal Secretary, Government of Andhra Pradesh, General Administration Department, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.

5. The Chairman AND Managing Director, AP TRANSCO, Vidyut Soudha, Gunadala, Vijayawada, Andhra Pradesh-520 004. **(Addresses 1 to 5 by RPAD)**
6. One CC to SRI. M. VIDYASAGAR, (STANDING COUNSEL FOR APGENCO) Advocate [OPUC]
7. One CC to SRI. PEETA RAMAN Advocate [OPUC]
8. Two CCs to GP FOR FINANCE, High Court of Andhra Pradesh. [OUT]
9. Two CCs to GP FOR ENERGY, High Court of Andhra Pradesh. [OUT]
10. Two CCs to GP FOR GENERAL ADMINISTRATION DEPARTMENT, High Court of Andhra Pradesh. [OUT]
10. One CC to SRI A. KOUSIK, Advocate. [OPUC]
- 11. Two spare copies**

ER

HIGH COURT

**DVSS, J &
SV, J**

DATED:27/04/2023

List along with W.P.No.392 of 2023 after Summer Vacation, 2023

ORDER

WA.No.443 of 2023

SUSPENSION

