

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE TWENTY SEVENTH DAY OF AUGUST

TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE THE CHIEF JUSTICE SRI ARUP KUMAR GOSWAMI
AND
THE HONOURABLE JUSTICE SRI NINALA JAYA SURYA

IA No. 1 OF 2021
IN
WA NO: 541 OF 2021

Between:

The Vice Chairman & Managing Director, Andhra Pradesh State Road Transport Corporation, RTC House, Vijayawada, Krishna District.

..Appellant/Respondent No.4 in W.P.

AND

1. Saketi Appala Naidu, S/o. Varahalu Naidu E 775146, Aged about 58 years, Occ:Retd.Driver, C/o. Palakonda Depot, Rajam Mandal, Srikakulam District.
2. K. Gajapathi Rao, S/o. Late Bodiyya E 454105, Aged about 58 years, Occ:Retd.RTC Head Constable, Srikakulam 1 Depot, Srikakulam District.
3. Patnala Eswara Rao, S/o. Late, Ramulu, E-455271, Aged about 58 years, Occ:Retd Driver, C/o. Maddilapalem Depot, Visakhapatnam District.
4. Juttiga Venkateswara Rao, SR) Satyanarayana Murthy, E-479139, Aged about 58 years, Occ:Retd.Machanic, C/o. Waltair Depot. Visakhapatnam District.
5. Mugada Gopi, S/o. Tatarao, E-095321, 58y, Occ:Retd L.H c/o. waltair Depot, Visakhapatnam District.
6. Akula Chinnainh, S o. late, Akula Narayana, E-484114, Aged about 58 years, Occ:Retd.CB, C/o. Waltair Depot, Visakhapatnam District.
7. B. Janardhana Rao, S/o. Satyanarayana, E-451703, Aged about 58 years, Occ:Retd.Dy Supdt (T), C/o. Dwaraka Bus Station, Visakhapatnam District.
8. Lingala Prasad Rao, S/o Yerrayya, E-101868, Aged about 58 years, Occ. Retd.Supt. (T) C/o. Anakapalli, Visakhapatnam District.
9. Ganti Ratna Kumari, C/o. Yegna Narayana, E-775055, Aged about 58 years, Occ. Retd. conductor, Srikakulam Depot, Srikakulam District.
10. P.V Siva Nanda Rao, C/o. Surya Prakasa Rao, E-775484, Aged about 58 years, Occ:Retd.Conductor, C/o. Palasa Depot, Srikakulam District
11. Ginjana Nookaraju, S/o. Kullayya, E-454162, Aged about 58 years, Occ:Retd.ADC, Narsipatnam Depot, Visakhapatnam District.
12. Belamara Veeraswamy, S/o. Late, Ramulu, E-451535, Aged about 58 years, Occ:Retd Dy Supdt (T), Maddilapalem Depot, Visakhapatnam District
13. P.Chandra Mouli, S/o. late, Satyarao E 775413, Aged about 58 years, Occ:Retd.Conductor, Palakonda Depot, Srikakulam District.
14. Mondri Babu Rao, S/o. Simhachalam, E-454878, C/o Bargayya, Aged about 58 years, Occ:Retd ADC, Simhachalam Depot, Visakhapatnam District.
15. R. Simhachalam, S/o. Sanyasi, E-457348, Aged about 58 years, Occ:Retd Shramic Simhachalam Depot, Visakhapatnam District.
16. Padi Madhusudhanarao, S/o. Laxmu, E-455750, Aged about 58 years, Occ. Retd.Conductor, Palokonda Depot, Srikakulam District
17. N Lakshmi Narayana, S/o Suryanarayana, E-505095, Aged about 58 years, Occ:Retd.R.C S.Kota, Visakhapatnam.
18. Gokeda Satyanarayana, S/o. Ramanna, E-454610 Aged about 58 years, Occ:Retd.ADC S Kota, Visakhapatnam.
19. Kimidi Mohan Rao, S/o. Venku Naidu, E-775305, Aged about 58 years, Occ:Retd.Driver, Palokonda Depot, Srikakulam District.
20. Lenka Adhinarayana, S/o Rami Naidu, E-458611, Aged about 58 years, Occ:Conductor, Palokonda Depot, Srikakulam District
21. Kollati Mohan Dass, S/o Hanumanthu Rao, E-454957, Aged about 58 years, Occ:Retd.Supt, (M) Paderu Depot, Visakhapatnam District

22. Tangilla Kanakarao, S/o. Veeraswamy, E-457265, Aged about 58 years, Occ:Retd.Driver Maddilapalem Depot, Visakhapatnam District.
23. Puthi Surya Rao Reddy, S/o. Ramulu, E-453419, Aged about 58 years, Occ:Retd.Driver, Maddilapalem Depot, Visakhapatnam District,
24. Bommina Anandarao, S/o. Suryanarayana, E-775202, Aged about 58 years, Occ:Retd.Conductor, Srikakulam Depot-H, Srikakulam District
25. Dasari Mohan Rao, S/o. Suryanarayana, E-452569, Aged about 58 years, Occ:Retd.L.H, C/o. Madhurawada Depot. Visakhapatnam District.
26. Shaik Mahaboob Subhani, S/o. Meera Saheb, E-452285, Aged about 58 years, Occ. Retd. Electrician, C/o. Visakhapatnam Depot, Visakhapatnam District.
27. Malla Naga Koteswara Rao, S/o. Malyarao, E-454982, Aged about 58 years, Occ:Retd.Tyre Mechanic, C/o Visakhapatnam Depot, Visakhapatnam District.
28. Pentakota Jagannadha Venkata Pattabi Ramu Ramajogi Naidu, E-453860, Aged about 58 years, Occ:Retd.Mechanic C/o. Visakhapatnam Depot. Visakhapatnam District.
29. Chinthada Anjaneyulu, S/o. Manganina, E-750421, Aged about 58 years, Occ:Retd.Conductor Simhachalam Depot, Visakhapatnam District.
30. Kandregula Bala Ramaswamy, S/o Nookaraju, E-111730, Aged about 58 years, Occ. Retd.ADC, C/o Visakha City Depot. Visakhapatnam District.
31. Neredmelli Balakrishna, S/o. Krishna Murthy, E-458295, Aged about 58 years, Occ:Retd Conductor, C/o Visakhapatnam Depot, Visakhapatnam District.
32. Datla Bangaru Raju, S/o Satyanarayana, E-484307, Aged about 58 years, Occ:Retd.Conductor, D.No.53-21 14/2, Chaitanya Nagar, C/o. Visakhapatnam Depot. Visakhapatnam District.
33. Mannangi Satyam, S/o Pentaiah, E-101970, 58years, Occ. Retd.TI3, Simhachalam Depot, Visakhapatnam District.
34. Gilipi Veera Badhra Ramanarao, S/o Prasada rao, E 750457, Aged about 58 years, Occ:Retd.Conductor, Maddilapalem Depot, Visakhapatnam District.
35. Angireddy Venkat Rao, S/o. Satyarao, E-452490, Aged about 58 years, Occ:Retd. ADC, Anakapalli Depot, Visakhapatnam District.
36. Koneti Venkata Ramana, S/o Ramarao, E-45244, Aged about 58 years, Occ:Retd.ADC, Visakhapatnam Depot, Visakhapatnam District.
37. Vechalapur Govinda Rao, S/o. Pydithalli, E-454798, Aged about 58 years, Occ:Retd.ADC, Simhachalam Depot, Visakhapatnam District.
38. Avugoddi Satyanarayana Murthy, S/o Kondaiah, E 455203, Aged about 58 years, Occ:Retd.ADC, Visakhapatnam Depot, Visakhapatnam District.
39. Chinth Venkata Satyanarayana, S/o Venkata Naranayya, E.452453, Aged about 58 years, Occ:Retd.ADC, C/o Anakapalli Depot, (H E.S/AKP) Visakhapatnam District.
40. P.Ganapathi Rao, S/o. Appaiah E.750475, Aged about 58 years, Occ:Retd.Conductor, Maddilapalem, Visakhapatnam District
41. S.Bhaskar Rao, S/o. Neelambaram, E-775421, Aged about 58 years, Occ:Retd.Mechanic, C/o. Palasa Depot, Srikakulam District.
42. L. Lokanadham, S/o, Kantajah, E-775808, Aged about 58 years, Occ:Retd.Driver C/o. Palasa Depot, Srikakulam District.
43. Earni Appala Narasamma, W/o Shankar Rao, E-750769, Aged about 58 years, Occ:Retd.Conductor, C/o Maddilapalem, Visakhapatnam District.
44. Mercy Lukose, W/o KVN Kunjmon, E-101961, Aged about 58 years, Occ:Retd.Dy Supd (T), C/o. Palakonda Depot, Srikakulam District.
45. Ch. Krishna, S/o. Appaiah, E-750769, Aged about 58 years, Occ:Retd.Conductor, C/o Palakonda Depot, Srikakulam District.
46. Pondala Janaidi Ramaiah, S/o Late, Rama Murthy, E-775257, Aged about 58 years, Occ:Retd.Conductor C/o.Palasa Depot, Srikakulam District
47. Meesala Francis, S/o Sredhar, E-458795, Aged about 58 years, Occ:Retd.Conductor, C/o.Parvathipuram, Vizianagaram District
48. P.Sriramulu, S/o. Veerabadhrudu, E-505070, Aged about 58 years, Occ:Retd.Rtc. Constable C/o Gajuwaka, Visakhapatnam District.
49. Raavi Mutyala Rao, S/o.Ravi Ramulu, E-458228, Aged about 58 years, Occ:Retd.Driver, C/o. Gajuwaka, Visakhapatnam District.
50. Pinnamaneni Satyavathi, W/o. M. V.S. Prakash Rao, E-750220, Aged about 58 years, Occ:Retd.Conductor C/o.Gajuwaka, Visakhapatnam District.
51. Kalivarapu Surya Prakasa Rao, S/o. Jagannadham, E-750183, Aged about 58 years, Occ:Retd.Conductor C/o. Steel City Depot, Visakhapatnam District.

52. M.Apparao, S/o. Ramulu, E-456671, Aged about 58 years, Occ:Retd. ADC C/o. Dwaraka Bus Station Depot, Visakhapatnam District
53. Jakkula Ananda Rao, S/o, Sambha Murthy, E-450176, Aged about 58 years, Occ:Retd.Driver C/o. Gajuwaka Depot, Visakhapatnam District
54. Buddaraju Papaiah Raju, S/o Satya Narayana Raju, E-751360, Aged about 58 years, Occ:Retd.Driver C/o. Gajuwaka Depot, Visakhapatnam District
55. Relangi Rambabu, S/o. Satyanarayana, E-484406, Aged about 58 years, Occ:Retd.Mechanic, C/o. Gajuwaka Depot, Visakhapatnam District.
56. Galla Appalanaidu, S/o. Abbai, E-458340, Aged about 58 years, Occ:Retd.Driver, C/o. Gajuwaka Depot, Visakhapatnam District
57. Kommineni Ramachandra Rao, S/o. Venkata Appaiah, E-453433 Aged about 58 years, Occ:Retd.ADC C/o. Srikakulam Depot, Srikakulam District
58. Mannem. Seetalah, S/o. Subbarao, E-357936 Aged about 58 years, Occ:Retd.Conductor, C/o. Vijayawada Depot, Krishna District
59. Dondapati Seshagiri Rao, S/o Appaiah, E-351882, Aged about 58 years, Occ:Retd.Driver C/o. Vijayawada Depot, Krishna District
60. Chalapaka Ganapathi Rao, S/o Bhaskar Rao, E-361671, Aged about 58 years, Oce Retd.Mechanic C/o. Nuzidedu Depot, Krishna District.
61. Shaik Kalesha Vali, S/o. Mastam Aged about 58 years, Occ:Retd Employee, 28-22 14, Rehman Veedi, Arundalpet, Vijayawada (Urban) Krishna District
62. Javvaji Haribabu, S/o. Rattalah Aged about 58 years, Occ:Retd Employee, 9-801, Opp Mazid, Near Chinnagudi Temple Penamalur, Krishna District
63. J.S Ramulu, Late Pedda Appalanaidu, E-775211, Aged about 58 years, Occ:Retd Conductor C/o. Palakonda Depot, Srikakulama District.

..Respondents/Writ Petitioners

64. The State of Andhra Pradesh, Rep. by its Chief Secretary to Government, Secretariat, Velagapudi, Guntur District
65. The State of Andhra Pradesh, Rep by its Principal Secretary, Finance Department, Secretariat, Velagapudi, Guntur District
66. The State of Andhra Pradesh, Rep. by its Principal Secretary to Transport (R & B) (Tr-II), Department, Secretariat, Velagapudi, Guntur District

..Respondents/Respondents in 1 to 3 in WP

Counsel for the Petitioner: SRI.DURGA PRASAD, STANDING COUNSEL
Counsel for the Respondent Nos.1 to 63: SRI.VENKATESWARLU GADA
Counsel for the Respondent No.64 TO 66: SRI.N.ASWARTHA NARAYANA, GP FOR SERVICES - I

Petition under Section 151 of 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 16.04.2021 passed in W.P.No.2277 of 2010, pending disposal of W.A.No.541 of 2021, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case). The Court made the following:

ORDER:

This application is filed seeking suspension of the order under appeal.

The writ petitioners had retired and they prayed for reinstatement into service until they attain the age of 60 years. By the order under appeal, the learned single Judge allowed the prayer made by the writ petitioners and directed the appellant and respondent Nos.64 to 66 herein to reinstate the writ petitioners into service, if they are below the age of 60 years.

Considering the submissions made by the learned counsel for the parties, we deem it appropriate to suspend the order of the learned single Judge.

Accordingly, the order under appeal insofar as it relates to W.P.No.2277 of 2020 is suspended till disposal of the appeal.

SD/-SHAIK MOHAMMED RAFI

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. Saketi Appala, S/o. Varahalu Naidu E 775146, Aged about 58 years, Occ:Retd.Driver, C/o. Palakonda Depot, Rajam Mandal, Srikakulam District.
2. K. Gajapathi Rao, S/o. Late Bodiyya E 454105, Aged about 58 years, Occ:Retd.RTC Head Constable, Srikakulam 1 Depot, Srikakulam District.
3. Patnala Eswara Rao, S/o. Late, Ramulu, E-455271, Aged about 58 years, Occ:Retd Driver, C/o. Maddilapalem Depot, Visakhapatnam District.
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9. Ganti Ratna Kumari, C/o. Yegna Narayana, E-775055, Aged about 58 years, Occ:Retd. conductor, Srikakulam Depot, Srikakulam District.
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15. R. Simhachalam, S/o. Sanyasi, E-457348, Aged about 58 years, Occ:Retd Shramic Simhachalam Depot, Visakhapatnam District.
16. Padi Madhusudhanarao, S/o. Laxmu, E-455750, Aged about 58 years, Occ. Retd.Conductor, Palokonda Depot, Srikakulam District
17. N Lakshmi Narayana, S/o Suryanarayana, E-505095, Aged about 58 years, Occ:Retd.R.C S.Kota, Visakhapatnam.
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45. Ch. Krishna, S/o. Appaiah, E-750769, Aged about 58 years, Occ:Retd.Conductor, C/o Palakonda Depot, Srikakulam District.
46. Pondala Janaidi Ramaiah, S/o Late, Rama Murthy, E-775257, Aged about 58 years, Occ:Retd.Conductor C/o.Palasa Depot, Srikakulam District
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64. The Chief Secretary to Government, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District
65. The Principal Secretary, Finance Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District
66. The Principal Secretary to Transport (R & B) (Tr-II), Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.(1 to 66 By RPAD)
67. Two CCs to GP for SERVICES - I, High Court of A.P. [OUT]
68. One CC to SRI.P.DURGA PRASAD, STANDING COUNSEL [OPUC]
69. One CC to Sri.VENKATESWARLU GADA, Advocate (OPUC)
- 70.** Two spare copies.

SRL

HIGH COURT

HCJ & NJSJ

DATED:27.08.2021

ORDER

I.A.NO.1 OF 2021

IN

WA.No.541 of 2021

SUSPENSION

