

THE HON'BLE SRI JUSTICE DILIP B.BHOSALE

AND

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT APPEAL No.678 of 2007

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JUDGMENT: (per the Hon'ble Sri Justice Dilip B.Bhosale)

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None appears for the appellant. Heard Sri Resu Mahender Reddy, learned Standing Counsel for the respondents.

2. This Writ Appeal is directed against the order, dated 07.10.2006, passed in W.P.No.8012 of 2000 filed by the appellant challenging the Memo No.CE/R&M/RTS/Adm/F.234/D.No.1700 dated 20.03.1999 issued by the second respondent, whereby the appellant was retired from service on 31.05.2000 on attaining the age of superannuation, as illegal, arbitrary and contrary to the rules. The Writ Petition was dismissed based on the order dated 11.10.2006 passed in W.P.No.19036 of 1997 and the batch. The concluding paragraph of the order reads thus:

“ I have considered the respective arguments and perused order dated 11.10.2006 passed in Writ Petition No.19036 of 1997 and batch. In those cases, the Court considered the question whether the workmen/employees of the Board are entitled to continue in service of the Board up to the age of 60 years and answered the same in negative. Therefore, this writ petition is liable to be dismissed. Ordered accordingly. The detailed reasons recorded in order dated 11.10.2006 passed in Writ Petition No.19036 of 1997 and batch shall be read as part of this order.”

3. This Court is informed that the Writ Appeals filed by similarly placed persons have already been dismissed by this Court. The Writ Petition filed by the appellant and of the similarly persons were disposed of by common order. That appears to be the reason why nobody is coming forward to workout the appeal

on merits. The appellant seems to have lost interest in prosecuting the appeal further.

4. In the circumstances, we are constrained to dismiss this appeal for non-prosecution. Order accordingly. Miscellaneous petitions, if any, also stand disposed of.

DILIP B.BHOSALE, J

A.RAMALINGESWARA RAO, J

Date: 16.04.2015

TJMR