

**THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA  
RAO  
AND  
THE HON'BLE DR. JUSTICE B. SIVA SANKARA RAO  
WRIT APPEAL No. 836 of 2008**

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**JUDGMENT: (*per Hon'ble Sri Justice Nooty  
Ramamohana Rao*)**

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This writ appeal is preferred by the Depot Manager, A.P.S.R.T.C., Bhadrachalam Depot, Khammam District, against the orders dated 28.03.2008 passed in W.P.No.13195 of 1999.

On 11.09.2008, while granting admission to the writ appeal, this Court directed notice to the 1<sup>st</sup> respondent workman. However, notice could not be delivered. Hence, on 04.11.2011, while granting permission to take out notice through personal service to the 1<sup>st</sup> respondent by registered post with acknowledgment due, this Court directed that in default, the appeal stands dismissed as against the 1<sup>st</sup> respondent. Since no such notice was taken, the order dated 04.11.2011 was given effect to as against the 1<sup>st</sup> respondent on 20.11.2011. Thereafter, we find the appellant not taking any steps either for setting aside the order dated 04.11.2011 or for securing the

service on the 1<sup>st</sup> respondent workman. We also find that the appellant is not having any interest to pursue the writ appeal, as none appears for him even today when the matter is taken up. Since the writ appeal itself was dismissed as against the 1<sup>st</sup> respondent and the 2<sup>nd</sup> respondent being the Labour Court and hence being a formal party, the Writ Appeal stands dismissed. No costs.

Consequently, miscellaneous applications, if any, shall also stand dismissed.

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**NOOTY RAMAMOHANA RAO, J**

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**DR. B. SIVA SANKARA RAO, J**

6<sup>th</sup> April, 2016  
cbs

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