HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

WRIT APPEAL No.1365 of 2017

Date:15.9.2017

Between:

The Vice Chairman & Managing
Director, Telangana State Road Transport
Corporation, Hyderabad and three others.

..... Appellants

And:

K.Rajanna,
S/o Buchi Veeraiah

.....Respondent

Counsel for the appellants: Mr. B.Mayur Reddy,
Standing Counsel for TSRTC

Counsel for the respondent: Mr. G.Ravi Mohan

The Court made the following:

ORDER: (*per Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

This Writ Appeal is filed against common order, dated 21.9.2016, to the extent it relates to Writ Petition No.30251 of 2016, whereby the learned single Judge following the judgment, dated 29.01.2016, in Writ Petition No.36337 of 2012 and batch, as confirmed by judgment, dated 08.9.2016, in Writ Appeal No.1120 of 2015 and batch, has disposed of the said Writ Petition.

Mr. B.Mayur Reddy, learned Standing Counsel for the appellant-Corporation, submitted that the afore-mentioned judgments of this Court were reversed by the Apex Court by its order, dated 23.02.2017, in Civil Appeal No.3529 of 2017 and batch, holding that the benefit of Section-47 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, shall be available to only those who suffered disabilities specified in Section-2(i) thereof, and that, it is open to the appellant-Corporation to take a decision on the individual grievances of the employees with utmost expedition, preferably within three months from the date of receipt of a copy of that order.

Mr. G.Rajesh, learned counsel for the respondent, has not disputed the above submission of the learned Standing Counsel for the appellants. He has, however, relied upon a

Division Bench judgment, dated 05.6.2017, of this Court in Writ Appeal No.380 of 2017 and batch and requested to dispose of this Writ Appeal in terms of the said judgment. The operative portion of the said judgment reads as under:

> "Following the order of the Supreme Court in Civil Appeal No.3529 of 2017 and batch, dated 23.02.2017, these Writ Appeals are also disposed of holding that the benefit of Section-47 of the Act shall be available only to those who are covered by the disabilities specified in Section-2(i) of the Act, it is open to the appellant-Corporation to take a decision, on individual grievances of the respondents-writ petitioners, with utmost expedition preferably within three months from the date of receipt of a copy of the order and the respondent-writ petitioners are at liberty thereafter to avail their remedies in terms of the judgment of the Supreme Court."

Mr. B.Mayur Reddy, learned Standing Counsel, has fairly agreed for disposal of this Writ Appeal in terms of the above reproduced order.

Accordingly, the order, dated 21.9.2016, of the learned single Judge in Writ Petition No.30251 of 2016 is set aside and the Writ Appeal is allowed with the direction that the observations reproduced above in order, dated 05.6.2017, in Writ Appeal No.380 of 2017 and batch shall form part of this order.

As a sequel, WAMP.No.2528 of 2017 is disposed of as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

JUSTICE GUDISEVA SHYAM PRASAD

15th September 2017
DR