

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE G.SHYAM PRASAD

WRIT APPEAL No.703 of 2017

Date:01.8.2017

Between:

The Vice-Chairman & Managing
Director, APSRTC (Now TSRTC),
Musheerabad and two others.

..... Appellants

And:

M.Papaiah,
S/o Gopaiah

.....Respondent

Counsel for the appellants. Mr. A.Ravi Babu

Standing Counsel for TSRTC

Counsel for the respondent: Mr. G.Ravi Mohan

The Court made the following:

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

This Writ Appeal is filed against order, dated 15.3.2016, in Writ Petition No.28000 of 2013, whereby the learned single Judge has allowed the said Writ Petition by granting the relief of *Mandamus*, directing the appellants to pay the salaries/wages to the respondent for the period from 04.02.2006 to 30.10.2007.

At the hearing, Mr. A.Ravi Babu, the learned Standing Counsel for the Telangana State Road Transport Corporation, submitted that the Writ Petition was allowed by the learned single Judge following the common order, dated 29.01.2016, in Writ Petition No.36337 of 2012 and batch and that the said order was the subject matter of Writ Appeal No.1120 of 2015 and batch, which was dismissed by a Division Bench of this Court, vide common judgment, dated 08.9.2016. The learned counsel further submitted that assailing the said judgment of the Division Bench, the Road Transport Corporations of both the States of Andhra Pradesh and Telangana filed a batch of Special Leave Petitions, wherein leave was granted and eventually, the batch of Civil Appeals was allowed by the Supreme Court by final order, dated 23.02.2017 and both the afore-mentioned judgments of the learned single Judge and the Division Bench were reversed holding that the benefit of Section-47 of the Persons with Disabilities (Equal Opportunities, Protection of

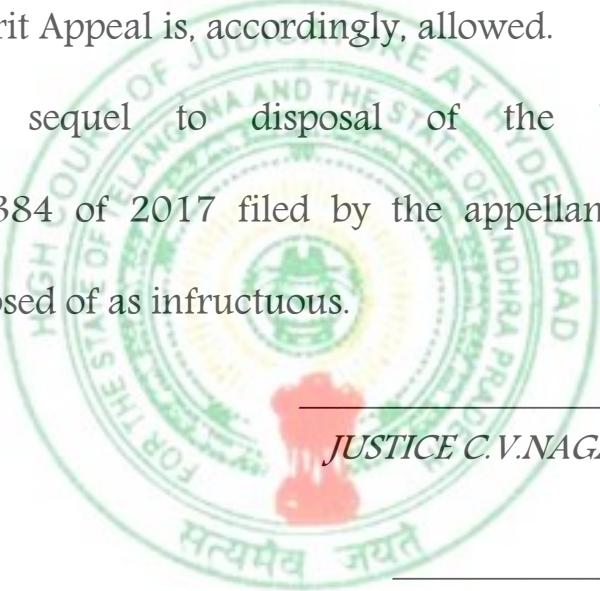
Rights and Full Participation) Act, 1995, is available only to the persons who suffered disability within the definition of Section-2(i) thereof.

This submission of the learned Standing Counsel is not disputed by the learned counsel for the respondent.

In the light of the above, the relief granted by the learned single Judge by the order, dated 15.3.2016, in Writ Petition No.28000 of 2013 cannot be sustained and the same is set aside.

The Writ Appeal is, accordingly, allowed.

As a sequel to disposal of the Writ Appeal, WAMP.No.1384 of 2017 filed by the appellants for interim relief is disposed of as infructuous.



JUSTICE C.V.NAGARJUNA REDDY

JUSTICE G.SHYAM PRASAD

01st August 2017

DR