

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE GUDI SEVA SHYAM PRASAD

W.A.M.P. No.1697 of 2017 in/and
Writ Appeal No.865 of 2017

DATED:28-08-2017

Between:

P. Darmendra
and another

... Applicants/Appellants

And

The Chairman-cum-Managing Director
A.P. Transmission Corporation Ltd.,
Vidyuth Soudha, Somajiguda
Hyderabad
and others

... Respondents

COUNSEL FOR THE APPLICANTS/APELLANTS: Mr. P. Nagendra Reddy

COUNSEL FOR THE RESPONDENTS: -



THE COURT MADE THE FOLLOWING:

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

W.A.M.P. No.1697 of 2017 is filed for condonation of the delay of 5586 days in filing the writ appeal against order dt.30.1.2002 in W.P. No.4171 of 2001.

In the affidavit filed in support of the application it is *inter alia* stated that the aforesaid writ petition filed by the applicants/appellants was dismissed on 30.01.2002 and that thereafter they filed W.P. No.22221 of 2001, which was also dismissed on 05.08.2005 on the ground that as W.P. No.4171 of 2001 filed for the same relief, which was claimed in the later writ petition was dismissed, the appellants are not entitled to maintain the second writ petition for the same relief. That aggrieved by the said order, the applicants have filed W.A. No.1907 of 2005 which was also dismissed on 04.09.2013 and that the review petition filed by them was also dismissed as withdrawn on 10.04.2015. The applicants have stated that instead of filing a writ appeal against order in W.P. No.4171 of 2001, they have unnecessarily pursued a fresh round of litigation by filing W.P. No.22221 of 2001, W.A. No.1907 of 2005 and the review petition therein and that the delay caused in the process is unintentional and bona fide.

Even assuming that the applicants were wrongly advised to file W.P. No.22221 of 2001, W.A. No.1907 of 2005 and the review petition, even after the dismissal of the review petition the applicants have not approached this Court within a reasonable time. They have filed the present writ appeal exactly two years after the dismissal of the review petition. The applicants have not assigned any reason whatsoever for the delay. The earlier writ petition filed by the applicants having been dismissed fifteen years back, the issue raised by them has become stale.

Therefore, we are not prepared to entertain the stale claims of the applicants at this length of time.

For the aforementioned reasons, W.A.M.P. No.1697 of 2017 is dismissed. Consequently, W.A. No.865 of 2017 is rejected and W.A.M.P. No.1698 of 2017 is disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

GUDI SEVA SHYAM PRASAD, J

28-8-2017

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