

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

WRIT APPEAL No.36 of 2017

JUDGMENT: (Oral)

(Per Suresh Kumar Kait, J)

Vide the present appeal, appellants have challenged order dated 21.09.2016 passed in W.P.Nos.24323 of 2013 and batch by a learned single Judge of this Court.

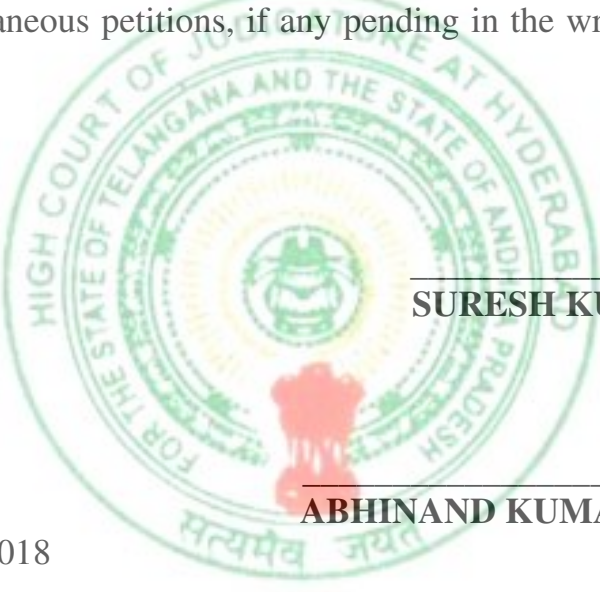
Learned counsel appearing on behalf of the appellants submits that similar issue reached upto the Supreme Court in C.A.Nos.3529 of 2017 & batch and thereafter came before this Court and this Court vide order dated 22.06.2017 in W.A.Nos.806 of 2017 and batch, disposed of the appeals holding that the benefit of Section 47 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (for short 'the Act') shall be available only to those who are covered by the disabilities specified under Section 2(i) of the Act and opportunity was given to the appellants 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. Liberty was given to the respondents/writ petitioners to avail their remedies in terms of the judgment of the Supreme Court.

We are of the considered opinion that the issue in the present appeal is covered in view of the judgment dated 23.02.2017 rendered by the Supreme Court in C.A.Nos.3529 of 2017 and batch and order dated 22.06.2017 passed by this Court in W.A.Nos.806 of 2017 & batch.

Accordingly, appellants herein are directed to take a decision in the case of the respondent within two months from the date of receipt of this order. As stated by learned standing counsel for the appellants, it is made clear that Conductors are not eligible for alternative employment as per the Regulations and proceedings No.LC/876(40/2015-RM/EG dated 29.04.2016 of the Regional Manager, APSRTC, Rajamahendravaram, is not applicable in the case of the respondent herein.

Writ appeal is accordingly disposed of. No order as to costs.

Miscellaneous petitions, if any pending in the writ petition, stand closed.



SURESH KUMAR KAIT, J

ABHINAND KUMAR SHAVILI, J

February 28, 2018
MRR