

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT APPEAL NO.1719 OF 2018

JUDGMENT: (per SK,J)

The petitioner in W.P.No.39730 of 2018, pending consideration before this Court, is the appellant. His prayer in the said writ petition was to declare the action of the Telangana State Power Generation Corporation Limited (TSGENCO) in not referring his case to a Medical Board to determine his age so as to alter his date of birth in his Service Register as illegal. He sought a consequential direction to the TSGENCO to do so and permit him to continue in service till he attained the age of superannuation basing on the altered age/date of birth. By order dated 05.11.2018, a learned Judge of this Court admitted the writ petition and passed the following order:

'Rule nisi. Call for records. Notice returnable in four (4) weeks.
Smt.A.Deepthi, counsel takes notice for respondents.'

Aggrieved by the said order, the present appeal is sought to be maintained.

Clause 15 of Letters Patent enables an appeal being filed against a decision of a learned Judge, be it at the interlocutory or at the final stage. Mere admission of the matter and ordering of notice returnable within a time frame would not qualify as a 'decision' to maintain an appeal against the same.

The writ appeal is therefore not maintainable and is accordingly dismissed on this short ground. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR,J

M.GANGA RAO,J

Date:28.12.2018
GJ

