

High Court for the State of Telangana

The Hon'ble The Chief Justice Sri Raghvendra Singh Chauhan

and

The Hon'ble Sri Justice A. Abhishek Reddy

W.A. No. 135 of 2020

Date: 26-02-2020

Between:

Neelam Anjaiah

...Appellant

And

**The Superintendent of Mines
RG, OcP-II, Ramagundam Area,
Singareni Collieries Company Limited,
Ramagundam, Karimnagar District and 3 others**

...Respondents

Counsel for the appellant:

Mr. K. Vasudeva Reddy

Counsel for respondents:

**Mr. J. Srinivas Rao,
SC for Singareni Collieries**

The Court made the following:

Judgment: (per Hon'ble The Chief Justice Sri Raghvendra Singh Chauhan)

The petitioner has challenged the legality of the order dated 05-12-2019, passed by a learned Single Judge in W.P. No. 34730 of 2016, whereby the learned Single Judge has passed a consent order as both the parties, the appellant-petitioner and the respondents, had agreed to refer the petitioner's case to the age determination committee. For, according to the petitioner, his date of birth had been incorrectly entered in the service record, due to which he was retired from service on 30-04-2017.

It is, indeed, a settled principle of law that no appeal can lie against a consent order. A bare perusal of the impugned order clearly reveals that it is the learned counsel for the petitioner, who had prayed, before the learned Single Judge, that appropriate orders be passed directing the respondents to refer the case of the petitioner to the age determination committee. The said proposal was agreed upon by the learned counsel for the respondents. Consequently, the learned Single Judge directed the respondents to refer the petitioner's case to the age determination committee. Hence, the impugned order is a consent order. Yet, rather surprisingly, the petitioner is still aggrieved by an order whereby his own proposal has been accepted by the learned Single Judge.

Therefore, the present appeal is highly misplaced. Since it is devoid of merit, it is, hereby, dismissed.

As a sequel, miscellaneous petitions, pending if any, stand dismissed as infructuous.

(Raghvendra Singh Chauhan, CJ)

(A. Abhishek Reddy, J)

Dt: 26-02-2020
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