

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**MONDAY, THE SECOND DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NOS: 22709, 22710, 22711, 22712 & 22713 OF 2014

W.P.No.22709 OF 2014

Between:

The South Central Railway Employees Cooperative Credit Society Ltd., (Functioning under deemed Registration under the provisions of Multi State Co-operative Societies Act, 2002, vide Regd. No. 1548) Sahakara Bhavan, Himmatnagar, Secunderabad, Rep. by its Secretary

...PETITIONER

AND

1. The Second Appellate Authority, under Section 48 of the A.P. Shops and Establishments Act 1988 and Deputy Commissioner of Labour, Circle-I, Anjaiah Bhavan R.T.C. Cross Road, Hyderabad.
2. The First Appellate Authority, under section 48 of the A.P. Shops and Establishments Act 1988 and Assistant Commissioner of Labour, Circle-II, Anjaiah Bhavan R.T.C. Cross Road, Hyderabad.
3. Sri.M.Ramachander Rao, S/o.M.Sailoo, Occ Retired as Office Superintendent, South Central Railway Employees Co-operative Credit Society Ltd., R/o.H.No 11-2-268, Mylargadda, Seethaphalmandi, Secunderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to (i) issue an appropriate Writ order or direction particularly one in the nature of certiorari by calling for records pertaining to the common orders dt.26.06.2014 passed in S.A. Nos.3,4,5,6,7 and8 of 2013 on the file of the Second Appellate Authority under Sec.48 of the A.P. Shops and Establishments Act 1988 and A.P. Shops and Establishments Rules 1990 and Deputy Commissioner of Labour, Circle-I, Hyderabad confirming the common orders dated 01.06.2013

passed in S.E. Case Nos.2,3,4,5,6 and 7 of 2012 on the file of the Authority Appointed under section 48 of the A.P. Shops and Establishments Act 1988 cum Assistant Commissioner of Labour, Circle-II, Hyderabad (ii) and quash the same by declaring the same as arbitrary, illegal, irregular, unconstitutional and violative of the law laid down and resjudicata in view of award of the Industrial Tribunal-I cum Labour Court dated 02.11.2000 passed in ID. No. 40 of 99 and issue a consequential direction to the effect that the Respondent No.3 do not come within the provisions laid down under A.P. Shops and Establishments Act and rules laid down there under since he comes within the exemption as per 73(1)(a) of the A.P. Shops and Establishments Act since the duties involved are supervisory in nature.

I.A. NO: 1 OF 2014(WPMP. NO: 28477 OF 2014)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings including the disbursement of the amount deposited in pursuance to the orders dated 26.06.2014 passed in Second Appeal No. 3 of 2013 as per the common orders dated 26.06.2014 passed in S.A. No's.3,4,5,6,7 &8 of 2013 on the file of the Second Appellate Authority under Sec.48 of the A.P. Shops and Establishments Act 1988 and A.P. Shops and Establishments Rules 1990 and Deputy Commissioner of Labour, Circle-I, Hyderabad confirming the common orders dated 01.06.2013 passed in S.E. Case No's.2,3,4,5,6 & 7 of 2012 on the file of the Authority Appointed under section 48 of the A.P. Shops and Establishments Act 1988 cum Assistant Commissioner of Labour, Circle-II, Hyderabad pending disposal of the above Writ Petition.

Counsel for the Petitioner : SRI K.RAMANUJA CHARY

Counsel for the Respondents No.1&2 : GP FOR LABOUR

Counsel for the Respondent No.3 : SRI K.NIRMAL KUMAR PRASAD

W.P.No.22710 OF 2014

Between:

The South Central Railway Employees Cooperative Credit Society Ltd., (Functioning under deemed Registration under the provisions of Multi State Co-operative Societies Act, 2002, vide Regd. No. 1548) Sahakara Bhavan, Himmatnagar, Secunderabad, Rep. by its Secretary

...PETITIONER

AND

1. The Second Appellate Authority, under Section 48 of the A.P. Shops and Establishments Act 1988 and Deputy Commissioner of Labour, Circle-I, Anjaiah Bhavan R.T.C. Cross Road, Hyderabad.
2. The First Appellate Authority, under section 48 of the A.P. Shops and Establishments Act 1988 and Assistant Commissioner of Labour, Circle-II, Anjaiah Bhavan R.T.C. Cross Road, Hyderabad.
3. Sri.P.Gopala Krishna,, S/o. P.Kanthachari, Aged 57 years, Occ Retired as Chief Office Superintendent, South Central Railway Employees Co-operative Credit Society Ltd., R/o.H.No 8-124, New Sai Nagar, Road No.3, Near Uppal Bus Depot, Uppal, Ranga Reddy District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to (I) issue an appropriate Writ order or direction particularly one in the nature of certiorary by calling for records pertaining to the common orders dated 26.06.2014 passed in SA Nos. 3,4,5,6,7and8 of 2013 on the file of the Second Appellate Authority under Sec. 48 of the A.P. Shops and Establishments Act 1988 and A.P. Shops and Establishments Rules 1990 and Deputy Commissioner of Labour, Circle-I, Hyderabad confirming the common orders dated 01.06.2013 passed in S.E. Case Nos. 2,3,4,5,6 and 7 of 2012 on the file of the Authority Appointed under section 48 of the A.P. Shops and Establishments Act 1988 cum Assistant Commissioner of Labour, Circle-II, Hyderabad (ii) and quash the same by declaring the same as arbitrary, illegal, irregular, unconstitutional and violative of the law laid down and resjudicata in view of award of the Industrial Tribunal-I cum Labour Court dated 02.11.2000 passed in ID No. 40 of 99 and issue a consequential direction to the effect that the Respondent No. 3 do not come within the provisions laid down under A.P. Shops and Establishments Act and rules laid down there under since he comes within the exemption as per 73(1)(a) of the A.P. Shops and Establishments Act since the duties involved are supervisory in nature.

I.A. NO: 1 OF 2014(WPMP. NO: 28478 OF 2014)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings including the disbursement of the amount deposited in pursuance to the orders dated 26.06.2014 passed in Second Appeal No. 4 of 2013 as per the common orders dated 26.06.2014 passed in SA Nos. 3,4,5,6,7&8 of 2013 on the file of the Second Appellate Authority under Sec. 48 of the A.P. Shops and Establishments Act 1988 and A.P. Shops and Establishments Rules 1990 and Deputy Commissioner of Labour, Circle-I, Hyderabad confirming the common orders dated 01.06.2013 passed in S.E. Case Nos. 2,3,4,5,6 & 7 of 2012 on the file of the Authority Appointed under section 48 of the A.P. Shops and Establishments Act 1988 cum Assistant Commissioner of Labour, Circle-II, Hyderabad pending disposal of the above Writ Petition.

Counsel for the Petitioner : SRI K.RAMANUJA CHARY

Counsel for the Respondents No.1&2 : GP FOR LABOUR

Counsel for the Respondent No.3 : SRI K.NIRMAL KUMAR PRASAD

W.P.No.22711 OF 2014

Between:

The South Central Railway Employees Cooperative Credit Society Ltd., (Functioning under deemed Registration under the provisions of Multi State Co-operative Societies Act, 2002, vide Regd. No. 1548) Sahakara Bhavan, Himmatnagar, Secunderabad, Rep. by its Secretary

...PETITIONER

AND

1. The Second Appellate Authority, under Section 48 of the A.P. Shops and Establishments Act 1988 and Deputy Commissioner of Labour, Circle-I, Anjaiah Bhavan R.T.C. Cross Road, Hyderabad.
2. The First Appellate Authority, under section 48 of the A.P. Shops and Establishments Act 1988 and Assistant Commissioner of Labour, Circle-II, Anjaiah Bhavan R.T.C. Cross Road, Hyderabad.
3. Sri. B.Rama Narasaiah S/o. Late Sri.B.Ramaiah, Occ Retired as Chief Office Superintendent, South Central Railway Employees Co-operative Credit Society Ltd., R/o.H.No 1-9-252/7/B, Ramnagar, Hyderabad-20.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to (i) issue an appropriate Writ order or direction particularly one in the nature of certiorari by calling for records pertaining to the common orders dt.26.06.2014 passed in S.A.Nos.3,4,5,6,7 and 8 of 2013 on the file of the Second Appellate Authority under Sec.48 of the A.P. Shops and Establishments Act 1988 and A.P. Shops and Establishments Rules 1990 and Deputy Commissioner of Labour, Circle-I, Hyderabad confirming the common orders dated 01.06.2013 passed in S.E. Case Nos.2,3,4,5,6 and 7 of 2012 on the file of the Authority Appointed under section 48 of the A.P. Shops and Establishments Act 1988 cum Assistant Commissioner of Labour, Circle-II, Hyderabad (ii) and quash the same by declaring the same as arbitrary, illegal, irregular, unconstitutional and violative of the law laid down and resjudicata in view of award of the Industrial Tribunal-I cum Labour Court dated 02.11.2000 passed in ID.No.40 of 99 and issue a consequential direction to the effect that the Respondent No.3 do not come within the provisions laid down under A.P. Shops and Establishments Act and rules laid down there under since he comes within the exemption as per 73(1)(a) of the A.P. Shops and Establishments Act since the duties involved are supervisory in nature.

I.A. NO: 1 OF 2014(WPMP. NO: 28479 OF 2014)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings including the disbursement of the amount deposited in pursuance to the orders dated 26.06.2014 passed in Second Appeal No.6 of 2013 as per the common orders dated 26.06.2014 passed in S.A.No's.3,4,5,6,7 & 8 of 2013 on the file of the Second Appellate Authority under Sec.48 of the A.P.Shops and Establishments Act 1988 and A.P. Shops and Establishments Rules 1990 and Deputy Commissioner of Labour, Circle-I, Hyderabad confirming the common orders dated 01.06.2013 passed in S.E. Case No's.2,3,4,5,6 & 7 of 2012 on the file of the Authority Appointed under section 48 of the A.P. Shops and Establishments Act 1988 cum Assistant Commissioner of Labour, Circle-II, Hyderabad pending disposal of the above writ petition.

Counsel for the Petitioner : SRI K.RAMANUJA CHARY

Counsel for the Respondents No.1&2 : GP FOR LABOUR

Counsel for the Respondent No.3 : SRI K.NIRMAL KUMAR PRASAD

W.P.No.22712 OF 2014

Between:

The South Central Railway Employees Cooperative Credit Society Ltd., (Functioning under deemed Registration under the provisions of Multi State Co-operative Societies Act, 2002, vide Regd. No. 1548) Sahakara Bhavan, Himmatnagar, Secunderabad, Rep. by its Secretary

...PETITIONER

AND

1. The Second Appellate Authority, under Section 48 of the A.P. Shops and Establishments Act 1988 and Deputy Commissioner of Labour, Circle-I, Anjaiah Bhavan R.T.C. Cross Road, Hyderabad.
2. The First Appellate Authority, under section 48 of the A.P. Shops and Establishments Act 1988 and Assistant Commissioner of Labour, Circle-II, Anjaiah Bhavan R.T.C. Cross Road, Hyderabad.
3. Sri. Y.Venkat Reddy,, S/o. Y.Koti Reddy, Aged 57 years, Occ Retired as Office Superintendent, South Central Railway Employees Co-operative Credit Society Ltd., R/o.42-409/1, Gayatrinagar, Moulali, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to (i) issue an appropriate Writ order or direction particularly one in the nature of certiorari by calling for records pertaining to the common orders dt.26.06.2014 passed in S.A. Nos.3,4,5,6,7 and 8 of 2013 on the file of the Second Appellate Authority under Sec.48 of the A.P. Shops and Establishments Act 1988 and A.P. Shops and Establishments Rules 1990 and Deputy Commissioner of Labour, Circle-I, Hyderabad confirming the common orders dated 01.06.2013 passed in S.E. Case Nos.2,3,4,5,6 and 7 of 2012 on the file of the Authority Appointed under section 48 of the A.P. Shops and Establishments Act 1988 cum Assistant Commissioner of Labour, Circle-II, Hyderabad (ii) and quash the same by declaring the same as arbitrary, illegal, irregular, unconstitutional and violative of the law laid down and resjudicata in view of award of the Industrial Tribunal-I cum Labour Court dated 02.11.2000 passed in ID. No. 40 of 99 and issue a consequential direction to the effect that the Respondent No.3 do not come within the provisions laid down

under A.P. Shops and Establishments Act and rules laid down there under since he comes within the exemption as per 73(1)(a) of the A.P. Shops and Establishments Act since the duties involved are supervisory in nature.

I.A. NO: 1 OF 2014(WPMP. NO: 28480 OF 2014)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings including the disbursement of the amount deposited in pursuance to the orders dated 26.06.2014 passed in Second Appeal No.7 of 2013 as per the common orders dated 26.06.2014 passed in S.A. No's.3,4,5,6,7 & 8 of 2013 on the file of the Second Appellate Authority under Sec.48 of the A.P. Shops and Establishments Act 1988 and A.P. Shops and Establishments Rules 1990 and Deputy Commissioner of Labour, Circle-I, Hyderabad confirming the common orders dated 01.06.2013 passed in S.E. Case No's.2,3,4,5,6 & 7 of 2012 on the file of the Authority Appointed under section 48 of the A.P. Shops and Establishments Act 1988 cum Assistant Commissioner of Labour, Circle-11, Hyderabad pending disposal of the above Writ Petition and pass such other further order or orders as may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner : SRI K.RAMANUJA CHARY

Counsel for the Respondents No.1&2 : GP FOR LABOUR

Counsel for the Respondent No.3 : SRI K.NIRMAL KUMAR PRASAD

W.P.No.22713 OF 2014

Between:

The South Central Railway Employees Co-operative, Credit Society Ltd.,
(Functioning under deemed Registration under the provisions of Multi State Co-operative Societies Act, 2002, vide Regd. No. 1548) Sahakara Bhavan,
Himmatnagar, Secunderabad, Rep., by its Secretary

...PETITIONER

AND

1. The Second Appellate Authority, under Section 48 of the A.P. Shops and Establishments Act 1988 and Deputy Commissioner of Labour, Circle-I, Anjaiah Bhavan R.T.C. Cross Road, Hyderabad.

2. The First Appellate Authority, under section 48 of the A.P. Shops and Establishments Act 1988 and Assistant Commissioner of Labour, Circle-II, Anjaiah Bhavan R.T.C. Cross Road, Hyderabad.
3. Sri. G.M. Ramesh,, S/o. Late G.H. Mallaiah Occ Retired Asst. Secretary, South Central Railway Employees Co-operative Credit Society Ltd., H.No 3-1-215, Somasundram Street, Secunderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to (i) Issue an appropriate Writ order or direction particularly one in the nature of certiorari by calling for records pertaining to the common orders dt.26.06.2014 passed in S.A. Nos.3,4,5,6,7 and 8 of 2013 on the file of the Second Appellate Authority under Sec.48 of the A.P. Shops and Establishments Act 1988 and A.P. Shops and Establishments Rules 1990 and Deputy Commissioner of Labour, Circle-I, Hyderabad confirming the common orders dated 01.06.2013 passed in S.E. Case Nos.2,3,4,5,6 and 7 of 2012 on the file of the Authority Appointed under section 48 of the A.P. Shops and Establishments Act 1988 cum Assistant Commissioner of Labour, Circle-II, Hyderabad (ii) and quash the same by declaring the same as arbitrary, illegal, irregular, unconstitutional and violative of the law laid down and resjudicata in view of award of the Industrial Tribunal-I cum Labour Court dated 02.11.2000 passed in ID. No. 40 of 99 and issue a consequential direction to the effect that the Respondent No.3 do not come within the provisions laid down under A.P. Shops and Establishments Act and rules laid down there under since he comes within the exemption as per 73(1)(a) of the A.P. Shops and Establishments Act since the duties involved are supervisory in nature.

I.A. NO: 1 OF 2014(WPMP. NO: 28481 OF 2014)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased stay all further proceedings including the disbursement of the amount deposited in pursuance to the orders dated 26.06.2014 passed in Second Appeal No. 8 of 2013 as per the common orders dated 26.06.2014 passed in S.A. No's.3,4,5,6,7 & 8 of 2013 on the file of the Second Appellate Authority under Sec.48 of the A.P. Shops and Establishments Act 1988 and A.P. Shops and Establishments Rules 1990 and Deputy Commissioner of Labour, Circle-I, Hyderabad confirming the common

orders dated 01.06.2013 passed in S.E. Case No's.2,3,4,5,6 & 7 of 2012 on the file of the Authority Appointed under section 48 of the A.P. Shops and Establishments Act 1988 cum Assistant Commissioner of Labour, Circle-II, Hyderabad pending disposal of the above Writ Petition.

Counsel for the Petitioner : SRI K.RAMANUJA CHARY

Counsel for the Respondents No.1&2 : GP FOR LABOUR

Counsel for the Respondent No.3 : SRI K.NIRMAL KUMAR PRASAD

The Court made the following: COMMON ORDER

HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION Nos.22709, 22710, 22711, 22712 and 22713 of 2014

COMMON ORDER:

The grievance, as also the relief sought, in all these writ petitions being identical, they are analogously heard and are being disposed of by this Common Order. For the sake of discussion, the facts in W.P.No.22709 of 2014 are being referred to.

2. The case, in a nutshell, is that certain employees of the South Central Railway Employees' Co-operative Credit Society Ltd., Secunderabad, (for short 'the Society') were retired from service on attaining the age of 58 years. Questioning their retirement on the ground that the Service Condition No.17 of the Society stipulates the Age of Retirement of the employees to be in accordance with the Railway Rules, as amended from time to time, the retirees approached the 2nd respondent-First Appellate Authority by filing S.E.Nos.2, 3, 4, 5, 6, and 7 of 2012. The 2nd respondent, by Common Order dated 02.11.2000, allowed the Petitions by upholding the contention of the retirees that their Age of Retirement should be as per Railway Rules, which is 60, as contemplated under the Service Conditions/bye laws of the Society. Aggrieved by the same, the

Cooperative Credit Society filed Appeal before the 1st respondent-Second Appellate Authority vide S.A.Nos.3, 4, 5, 6, 7 and 8 of 2013. The Appeals came to be dismissed by Common Order dated 26.06.2014, thereby affirming the Order dated 02.11.2000 passed by the 2nd respondent-First Appellate Authority.

Questioning the dismissal of the Appeals, the Society is before this Court with these Writ Petitions.

3. Learned counsel for the petitioner-Society contends that Service Condition mentioned at para No.17 relating to the Age of Retirement was amended by the appropriate Authority as per Multi-State Co-operative Societies Act, 2002, thereby the retirement age came to be modified to 58 and therefore the judgment of the respondent Nos.1 and 2-Appellate Authorities that employees retirement age is 60 is an erroneous judgment.

4. Learned counsel for the petitioner-Society further contends that without explicit adoption of the Railway Rules by the Management of the Society, the Railway Rules do not automatically apply to the Society employees, and therefore the respondents-

Appellate Authorities erred in passing the impugned order. It is also contended that the Society is an independent body registered under the Societies Act and is not a part of the Railway Department. It is contended that respondent No.3 was retired from service on attaining the age of 58 years, and it is erroneous to construe it as a "termination from service", and the respondents No.1 and 2-Authorities erred in holding that respondent No.3 was terminated from service. It is also contended that the respondents-Appellate Authorities erred in holding that the Society has not complied with the provisions laid down under Section 48(3) of the Andhra Pradesh Shops and Establishment Act. It is contended that the Society has deposited/settled full amount as per Service Rules of the Society r/w DRM pattern which is followed by the Society. Learned counsel therefore assails the impugned orders as illegal and unsustainable.

5. Heard learned counsel for respondent No.3-retiree.

6. Counter affidavit is filed by respondent No.3 opposing the contention raised in the writ petition. The sum and substance of the counter affidavit, insofar as it touches the material contentions of the

writ affidavits, is that paragraph No.17 of the Society Service Rules, which stipulates the retirement age of 60 years remained unamended and even witnesses RW.1 and RW.2 on behalf of the writ petitioner/Society deposed to that effect before the 2nd respondent-First Appellate Authority.

7. It is further stated that the Board of Management passed a Resolution dated 27/28.02.2012 seeking amendment to paragraph No.17 of the Service Rules and sought approval through the Resolution to raise the retirement age to 60 years and submitted the same to the Central Registrar of Cooperative Societies, Ministry of Agriculture and Cooperation, New Delhi, dated 12.03.2012.

8. It is stated in the counter that there is no amendment rolling back the age of retirement from 60 to 58 years. Therefore, it is contended that paragraph No.17 has never been amended to reduce the age of retirement from 60 years to 58 years. It is also contended that paragraph No.17 of Service Conditions on the Age of Retirement explicitly states that "***Retirement age is as per Railway Rules as amended from time to time***". Therefore, it is contended

that the age of retirement as notified under the Railway Rules, as amended from time to time, *mutatis mutandis* applies to the Society employees, and there is no separate retirement age specified for Society employees.

9. Learned counsel for respondent No.3 further submits that this matter is squarely covered by the order dated 19.04.2017 passed by this Court in Writ Petition No.8415 of 2003.

10. Having considered the respective contentions and perusing the material on record, it may be noted that the Age of Retirement specified under the Service Conditions of Society, at paragraph No.17 reads as under:

“17. Age of Retirement:

Retirement age is as per Railway Rules as amended from time to time”

11. It is explicit from the above extracted Service Rule that the retirement age of Society employees is as per Railway Rules, as amended from time to time. Therefore, it is amply clear that there is

no separate retirement age for Society employees inconsistent or different from that of railway employees.

12. At this juncture, it may be noted that in similar circumstances in WP No.8415 of 2003, this Court directed as follows:

“The 2nd respondent issued the impugned memo retiring the petitioner w.e.f., 31.05.2003 on the ground that the petitioner was completing 58 years. The presumption is the memo is issued having regard to the applicable service condition. Therefore, the burden is on 2nd respondent to satisfactorily establish that the memo impugned in the writ petition is issued in consonance with the extant service conditions. In the case on hand, the 2nd respondent failed to discharge the burden, for the letter on which the 2nd respondent relies upon cannot be treated as an amendment either to byelaw or service condition altering the age of superannuation. Further, the age of superannuation is 60 years in Railways. By applying the Rule viz., retirement age is as per Railway Rules as amended from time to time, I am satisfied the impugned memo is illegal and unconstitutional. Hence, memorandum to the extent retiring the petitioner from service w.e.f., 31.05.2003 is set aside and this Court further holds that the petitioner is entitled to be continued up to 60 years. Since the petitioner had already retired from service, it is held that the 2nd respondent pays salary etc., to petitioner for denying two years of service as per service condition”

13. A perusal of W.P.No.8415 of 2003 would show that it is directly on the issue in contest in the present writ petition and this Court is of the view that the rationale in order passed WP No.8415 of 2003 is applicable to the case at hand.

14. In that view of the matter, these Writ Petitions are disposed of in the light of the order passed by this Court in W.P.No.8415 of 2003. Consequently, the Memorandum to the extent of retiring respondent No.3 from service at 58 years is set aside and this Court further holds that respondent No.3 is entitled to continue until he is 60 years. However, admittedly, as respondent No.3 had already retired from service, the petitioner-Society shall pay salary etc., to respondent No.3 for denying two years of service as per paragraph 17 of the Service Conditions. No Costs. Miscellaneous applications, pending if any, shall stand closed.

SD/- T. TIRUMALA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Deputy Commissioner of Labour, Second Appellate Authority, under Section 48 of the A.P. Shops and Establishments Act 1988 Circle-I, Anjaiah Bhavan R.T.C. Cross Road, Hyderabad.
2. The Assistant Commissioner of Labour, Circle-II, Anjaiah Bhavan R.T.C. Cross Road, First Appellate Authority, under section 48 of the A.P. Shops and Establishments Act 1988 Hyderabad.
3. One CC to SRI K.RAMANUJA CHARY, Advocate. [OPUC]

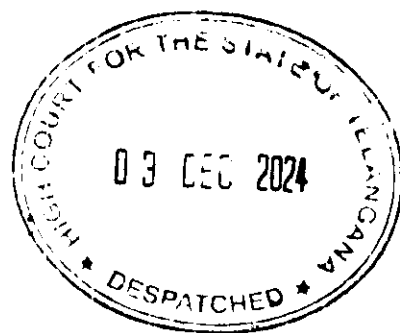
- 4. Two CCs to GP FOR LABOUR, High Court for the State of Telangana. [OUT]
- 5. One CC to SRI K.NIRMAL KUMAR PRASAD, Advocate: [OPUC]
- 6. Two CD Copies.

BSK
GJP

1/6

HIGH COURT

DATED:02/09/2024



COMMON ORDER

**WP.Nos. 22709, 22710,
22711, 22712 & 22713 OF 2014**

**DISPOSING OF THE WRIT PETITIONS
WITHOUT COSTS**

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