

ANDHRA PRADESH POWER GENERATION CORPORATION LIMITED
VIDYUT SOUDHA :: VIJAYAWADA

Circular Memo.No.JS(Per.)/DS(E)/AS(P-NT&R)/PO(P-NT&R)/25/2024, Date.18.09.2024

Sub: Estt. – APGENCO – W.P. Appeal Affidavit along with disposal order dt.01.08.2024 in W.A.No.657/24 in W.P.No.39011/2017 filed by Sri. M. Soma Sekhara Rao, S/o late Venkata Rao & 5 others – Reg.

Ref: Lr.No.JS(Per.)/GM(L&IR)/W.A.No.657/2024, dt.13.09.2024.

A copy of the Judgement dt.01.08.2024 in W.A.No.657/2024 of the Hon'ble High Court of Andhra Pradesh is attached herewith.

2. All the employees of APGENCO are hereby informed to take necessary action as per the above judgment of the Hon'ble High Court of Andhra Pradesh.

V. USHA
Joint Secretary (Per.)

To
All the Employees of APGENCO.

Copy to the:
JPO to Joint Secretary (Per.)/APGENCO
Stock File/Spare Copy

// FORWARDED :: BY ORDER //


PERSONNEL OFFICER

HON'BLE SRI JUSTICE G.NARENDAR
AND
HON'BLE SMT JUSTICE KIRANMAYEE MANDAVA
WRIT APPEAL No. 657 of 2024

JUDGMENT:- (per Hon'ble Sri Justice G.Narendar)

1. Heard learned senior counsel on behalf of the appellants and learned senior counsel on behalf of the private respondent and Mr. Nagaraju Naguru, learned standing counsel for A.P.G.E.N.C.O.
2. After having heard the learned senior counsel and the learned counsel for the Employer-Respondent Nos.1 & 2, this Court has suggested to the parties an option of remitting the matter to the learned Single Judge in view of the short ground that affected the parties have not been afforded an opportunity. That the same is suggested in order to avoid multiplicity of litigation and also in order to enable the learned Single Judge to hear all concerned and arrive at and form a comprehensive view.
3. Learned senior counsel and the learned counsel appearing for the Employer have accepted the same. In that view of the matter, the Writ Appeal requires to be allowed in part.
4. Accordingly, the Writ Appeal is allowed in part. The order of the learned Single Judge is set aside and the matter is remitted back to the learned Single Judge for hearing and disposal, after affording an opportunity to all the parties concerned. There shall be no order as to cost.

5. The Employer namely the respondent Nos. 1 to 4 in the Writ Petition shall notify this order to its employees and all those who are interested or would be aggrieved by any order allowing the Writ Petition, shall be permitted to come on record and be heard.

6. It is made clear that failure to participate in the Writ Petition despite such notice, would be considered as a waiver on the part of the parties, who do not participate and assist the learned Single Judge.

7. This order shall not be construed as a pronouncement on respective claims of the parties. As the matter involves the questions of seniority and career progression, we request the learned Single Judge to expedite the hearing.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Appeal shall stand closed.

G.NARENDAR, J

KIRANMAYEE MANDAVA, J

Dated 01st August, 2024
PKR