

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE TWELFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

**THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M. MOHIUDDIN**

**I.A. No.1 OF 2025
IN/AND
WRIT APPEAL NO: 613 OF 2025**

Writ Appeal under clause 15 of the Letters Patent preferred against the Order dated 26-02-2024 in W.P.No.45675 of 2016 on the file of the High Court.

Between:

1. Telangaria State Road Transport Corporation, Rep. by its Managing Director, Bus Bhavan, Musheerabad, Hyderabad.
2. The Regional Manager, TSRTC, Mahabubnagar Region, Mahabubnagar.
3. The Depot Manager, TSRTC, Bus Depot, Wanaparty, Wanaparty District.
4. The Depot Manager, TSRTC, Bus Depot, Kalwakurthy, Nagarkurnool District.

...APPELLANTS

AND

T. Ramulu, S/o. T. Hanmaiah, aged 52 years, Occ. Driver, E. No. 150160, R/o 1-64, Macharam, Jedcherla Mandal, Mahabubnagar District.

...RESPONDENTS

IA NO: 1 OF 2025

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 condone the delay of 447 days in filing the present Appeal.

IA NO: 3 OF 2025

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 grant stay of operation of Orders in W.P. No. 45675 of 2016 dated 26.02.2024.

Counsel for the Appellants: SRI R. ANURAG, S.C. FOR TSRTC

Counsel for the Respondent: SRI V. NARASIMHA GOUD

The Court made the following: JUDGMENT

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

AND

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

I.A.No.1 of 2025

in/and

WRIT APPEAL No.613 of 2025

DATED: 12.02.2026

Between:

Telangana State Road Transport Corporation,
Rep. by its Managing Director,
Bus Bhavan, Musheerabad,
Hyderabad & 3 others

... Appellants

AND

T.Ramulu

... Respondent

JUDGMENT:

Heard Mr. R.Anurag, learned Standing Counsel for Telangana State Road Transport Corporation (TSRTC) appearing for the appellants and Mr. V.Narasimha Goud, learned counsel appearing for the respondent/writ petitioner.

2. The appeal suffers from a delay of 447 days, for condonation of which I.A.No.1 of 2025 has been filed. The appellants seek to assail the direction of the learned writ Court to count the period during which the writ petitioner was out of service upon removal in a departmental proceeding till his reinstatement

by the revisional authority as a fresh Driver on 03.03.2010 for the purpose of continuity in service for all purposes and for difference of salary for that period. The writ petitioner was removed from service on 09.11.2009 and after the order dated 15.02.2010 passed by the revisional authority, he was reinstated on 03.03.2010 i.e., after a gap of four months. The writ petitioner accepted the reinstatement with the terms and conditions indicated therein but approached the writ Court after six years seeking continuity in service. The appellants have assailed the impugned order on a number of grounds. That continuity of service in case of reinstatement as a fresh Driver for the period he was out of service would set a wrong precedent in the organisation. Writ petitioner had taken the plea that the revisional authority could not have reinstated him as a fresh Driver in course of a proceeding where his removal in a departmental proceeding was under challenge.

3. Learned Standing Counsel for the appellants submits that the delay is not intentional. It has occasioned on account of repeated change in the counsel for the Corporation. Moreover, due to change of the counsel, the pleadings of W.P.No.45675 of 2016 were mixed with other bundles at the office of the learned Standing Counsel. After receipt of the certified copy, the records pertaining to the case was obtained. The appeal was drafted upon instructions from the Corporation and thereafter filed. Therefore, delay may be condoned.

4. During course of submissions, learned counsel for the parties have also addressed the Court on the merits of the challenge to the impugned order.
5. On the one hand, the learned Standing Counsel for the appellants have contended that reinstatement as a fresh Driver could not entail continuity in service and if so granted would be not only contrary to the Rules but set a wrong precedent. Moreover, the writ petitioner cannot get the salary for the difference period as directed by the learned writ Court since he was out of service. The services of the employees of the Corporation are not pensionable.
6. On behalf of the writ petitioner, though objection to the delay condonation has been made, but learned counsel for the writ petitioner submits that writ petitioner would be satisfied if the benefit of continuity in service is confined only for the purposes of pay fixation upon his appointment as a fresh Driver and future increments to which he may be entitled.
7. On being asked, the learned Standing Counsel for the appellants submits that the impugned order may be modified as may be considered just and proper limiting the relief to continuity of service only for the purpose of pay fixation and future increments.
8. Having regard to the facts and circumstances noted above and the legal position that the writ petitioner had been reinstated as a fresh Driver on acceptance of the terms and conditions indicated in his joining letter and that the

period for which he was out of service was approximately four months only, given the consensus arrived at between the parties, we are of the view that the delay in preferring this appeal can be condoned subject to payment of costs of Rs.5,000/- (Rupees Five Thousand only) to the Telangana State Legal Services Authority within two weeks. The impugned order is modified to the extent that the benefit of continuity of service to the writ petitioner would be limited for the purposes of pay fixation upon his re-joining and for future increments. Admissible benefits due to the writ petitioner consequent upon the order passed in the appeal be computed and paid within a reasonable time, preferably four months from the date of receipt of copy of the order.

9. I.A.No.1 of 2025 is allowed and the instant writ appeal is, accordingly, disposed of. Let it be made clear that this order would not be treated as a precedent for other cases. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

**SD/-K. SHYLESI
JOINT REGISTRAR**

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SECTION OFFICER

To

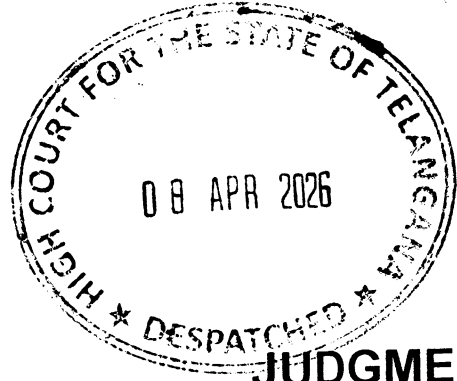
1. One CC to SRI R. ANURAG, S.C. for TSRTC [OPUC]
2. One CC to SRI V. NARASIMHA GOUD, Advocate [OPUC]
3. Member Secretary Telangana State Legal Services Authority, Hyderabad.
4. Managing Director Telangana State Road Transport Corporation Bus Bhavan Musheearbad Hyderabad
5. Regional Manager TSRTC, Mahabubnagar Region Mahabubhagar.
6. Depot Manager TSRTC Bus Depot Wanaparty, Wanaparthi District.
7. Depot Manager TSRTC Bus Depot Kalwakerthy, Nagarkurnool District.
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HIGH COURT

DATED:12/02/2026



JUDGMENT

**I.A.No.1 of 2025
IN/AND
WA.No.613 of 2025**

**ALLOWING THE I.A.No.1 OF 2025
DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS**

(10) — JKS
4/4/26.