

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
(SPECIAL ORIGINAL JURISDICTION)**

WEDNESDAY, THE TWENTY SECOND DAY OF FEBRUARY,
TWO THOUSAND AND TWENTY THREE

:PRESENT:

**THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA
WRIT PETITION NO: 4219 OF 2023**

Between:

P.S.Rajeswar Rao, S/o Nagamalleswara Rao, 44 Years, E.359700, Driver, D.No. 7-97, Kunapareddynagar, Vuyyuru, Krishna District-521165.

...Petitioner

AND

1. Andhra Pradesh State Road Transport Corporation, Rep.by Commissioner Public Transport Department and Ex Officio Managing Director, Pandit Nehru Bus Station, Vijayawada.
2. The Depot Manager, APSRTC Vijayawada Depot, Pandit Nehru Bus Station, Vijayawada.
3. State of Andhra Pradesh, Rep., by its Principal Secretary, Transport, Roads and Buildings Department, Secretariat, Velagapudi, Amaravati. A.P.

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, or Order or Direction more particularly one in the nature of Writ of Mandamus, declaring that the Removal Order No.TY/95(55)/2021-VJA dated 11.10.2021 of 2nd Respondent removing the petitioner from service is without jurisdiction arbitrary, unjust, contrary to law, in violation of the principles of natural justice, in contravention of the A.P. State and Subordinate Service Rules. 1996, A.P. Civil Service C.C & A Rules, 1991 and A.P. Public Transport Operations Subordinate Service Rules, 2021, discriminatory and in violation of Article 14, Article 21 and Article 311 of the Constitution of India, set aside the same and consequently direct the Respondents to reinstate the petitioner into service with all consequential benefits including the salary for the period of removal.

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to grant interim suspension of the Removal Order No.TY/95(55)/2021-VJA dated 11.10.2021, and permit the petitioner to discharge duties, pending disposal of WP.No.4219 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.G.Satyanarayana Rao, Advocate for the Petitioner and Sir M.Soloman Raju, Standing Counsel for the Respondent Nos.1 & 2 and GP for Transport for the Respondent No.3, the Court made the following;

ORDER:

"Heard learned counsel for the petitioners and learned counsel for the respondents.

Learned counsel for the petitioner submits that in similar circumstances, by an order dated 24.01.2023 in W.P.No.1388 of 2023, this Court granted an interim order as follows:

"There shall be an interim suspension of operation of the removal order dated 17.04.2022 issued by the 2nd respondent until further orders and the respondents are directed to permit the petitioner to discharge his duties. "

In view of the above, this Court deems it appropriate to extend the similar benefit to the petitioners herein also.

Accordingly, there shall be an interim suspension of operation of the removal order dated 11.10.2021 issued by the 2nd respondent until further orders and the respondents are directed to permit the petitioner to discharge his duties.

List the matter on 23.03.2023.

Meanwhile, respondents are directed to file counter."

//TRUE COPY//

**Sd/- K. SRINIVASA RAJU
A ASSISTANT REGISTRAR**

For A SECTION OFFICER

To,

1. The Commissioner, Andhra Pradesh State Road Transport Corporation, Public Transport Department and Ex Officio Managing Director, Pandit Nehru Bus Station, Vijayawada.
2. The Depot Manager, APSRTC Vijayawada Depot, Pandit Nehru Bus Station, Vijayawada.
3. The Principal Secretary, Transport, Roads and Buildings Department , Secretariat, Velagapudi, Amaravati, State of Andhra Pradesh. (Addressee Nos.1 to 3 by RPAD)
4. One CC to Sri. A.G.Satyanarayana Rao, Advocate [OPUC]
5. One CC to Sri. M.Soloman Raju, Standing Counsel [OPUC]
6. Two CCs to GP for Transport, High Court of AP [OUT]
7. One spare copy

MM

HIGH COURT

NVJ

DATED:22/02/2023

NOTE: LIST THE MATTER ON 23.03.2023

ORDER

WP.No.4219 of 2023

INTERIM SUSPENSION

