



**IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)**

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

**PRESENT
THE HONOURABLE SRI JUSTICE HARINATH NUNEPALLY**

IA.Nos. 1 and 2 of 2021

IN

WRIT PETITION NO: 26455 OF 2000

IA NO: 2 OF 2021

Between:

Smt. L.Usha Rani, W/o. P.Srinivasa Rao. Attender in A.P.State Seeds Development Corporation Limited, Vijayawada, Dismissed from Service, R/o. D.No. 5-6, Main Road, Ramavarappadu, Krishna District.

...Petitioner

AND

1. The A.P.State Seeds Development Corporation Limited, Rep by its Chairman, Regd. Officer, 5-10-193, II Floor, HACA Bhavan, Hyderabad-4.
2. The Managing Director, A.P.State Seeds Development, Corporation Limited, 5-10-193, II Floor, HACA Bhavan, Hyderabad-4.

...Respondents

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 restore the date of order which was dismissed from default on 08-12-2010.

IA NO: 1 OF 2021

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 3923 days to file the restoration petition pass appropriate orders which are deems fit and necessary in the circumstance of the case.

WRIT PETITION NO: 26455 OF 2000

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 call for the records and issue appropriate Writ, direction or Order more in the nature of mandamus, declaring that the Order No. SSDC/Admn./2000-2001/913 dated 4-11-2000 dismissing me from service is arbitrary, whimsical, violative of law and principles of natural justice and consequently Quash the said order in the interests of justice.

I.A. NO: 1 OF 2000(WPMP. NO: 33645 OF 2000)

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 suspend the

operation of impugned order dated 4/11/2000 directing the respondents to reinstate me into service with all consequent benefits in the interests of justice.

Counsel for the Petitioner: SRI GANTA PRASAD

Counsel for the Respondents: SRI A.V.V.S.N.MURHTY, SC for APSSDCL

The Court made the following: order

I.A.Nos. 1 and 2 of 2021

These applications are filed to condone the delay of 3923 days in filing the restoration petition and to restore the writ petition which was dismissed for default on 08.12.2010.

02. It is the case of the petitioner that she has engaged the services of Sri P.V. Rama Sarma, learned counsel, and she was informed that the matter before the Court is to be heard and that the matter would take considerable time. In the meanwhile, upon a complaint of the respondent- Corporation, the II Metropolitan Magistrate for Railways, Vijayawada, registered a case in C.C.No.338 of 2007 against the petitioner and the same was dismissed on merits on 29.03.2018. The petitioner made efforts to contact her counsel to find out the status of the above case, she was unable to contact the counsel and had no clue what happened in the case. However, she came to know that writ petition was dismissed for default and that her counsel had passed away and she had no information on the status of the case. On coming to know the writ petition was dismissed for default, she has filed these applications seeking condonation of delay of 3923 days in filing restoration petition.

03. Notice was ordered by this Court in the restoration and condone delay petitions. The notice is served and proof of service is also filed. The respondent has not taken any steps to file any vakalatnama, nor the respondent represented today.

04. In the said facts and circumstances as stated in the affidavit, considering the nature of employment of the petitioner in the respondent's corporation and her incapacity to gather information with regard to the above writ petition, more particularly, when the counsel for the petitioner has passed away, the reasons in seeking restoration of the petition can be accepted. Though the delay condonation sought for is more than ten (10) years, considering the facts and circumstances on hand, both these petitions i.e., I.A. Nos. 1 and 2 of 2021 are allowed and the Writ Petition is restored to its original file.

WP.No.26455 of 2000

Post the matter on 04.12.2023, under caption 'for orders'

**Sd/- S.SRINIVASA PRASAD
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Chairman, A.P.State Seeds Development Corporation Limited, Regd. Officer, 5-10-193, II Floor, HACA Bhavan, Hyderabad -4.
2. The Managing Director, A.P.State Seeds Development, Corporation Limited, 5-10-193, II Floor, HACA Bhavan, Hyderabad.
3. One CC to Sri P V Rama Sarma, Advocate [OPUC]

4. One CC to Sri V Ajayakumar, Advocate [OPUC]
5. One CC to Sri Ch Shyam Sunder Rao, Advocate [OPUC]
6. Two CD Copies

RAM

[Handwritten signature]

1305 VPM P 3

After dispatch entire bundle
sent to Writ Service Section
Post on 04.12.2023

HIGH COURT

DATED:22/11/2023

POST ON 04.12.2023

ORDER
IA.No.1 and 2 of 2021
IN
WP.No.26455 of 2000



IA.No.1 & 2 of 2021 IS ORDERED
RESTORING THE WP

8 Copies
B.VVR
29.11.23