

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 30506 of 2015

DATED 18th September, 2015

BETWEEN

B.Shankaraiah

...Petitioner

And

The State of Telangana, rep. by its Principal Secretary
for Cooperation, Secretariat, Hyderabad and ors.

Respondents.

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 30506 of 2015

ORDER:

Heard learned Counsel for the petitioner, learned Government Pleader for Cooperation for respondents 1 to 3 and learned Standing Counsel for respondent No.4.

2. Petitioner, an employee of the District Cooperative Central Bank Limited, Medak District, the 4th respondent herein, has filed this writ petition to declare the action of the 4th respondent in deducting Rs.43,000/- from his retirement benefits, as illegal and without jurisdiction. The order is challenged on the substantive ground that no domestic enquiry was held against him while he was in service and consequently withholding of the amount is not sustainable.

3. This Court in Writ Petition No.11261 of 2012 dealt with the same question and by an order dated 13.06.2012 held that deduction of amount in the retirement benefits is not sustainable

and accordingly directed the respondents to refund the recovered amount.

4. The learned Government Pleader as well as learned standing counsel for the 4th respondent, concede that the said order squarely covers the case on hand.

5. In view of the same, this writ petition is allowed directing the respondents to refund the recovered amount of Rs.43,000/- to the petitioner within a period of six weeks from the date of receipt of a copy of this order, failing which, respondents shall pay interest at 6% per annum from the date of the receipt of a copy of the order till payment. No costs.

6. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE CHALLA KODANDA RAM

DATED 18TH SEPTEMBER, 2015
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