

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

WRIT PETITION No.15812 of 2015

Between:

K. Ramalingeswara Rao and four others Petitioners

And

The District Educational Officer,
Srikakulam District and ten others. Respondents

DATE OF JUDGMENT PRONOUNCED: 27.07.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

AND

THE HON'BLE MRS. JUSTICE ANIS

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| 1. Whether Reporters of Local newspapers may be allowed to see the Judgments? | No |
| 2. Whether the copies of judgment may be marked to Law Reporters/Journals | No |
| 3. Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | No |

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

AND
THE HON'BLE MRS. JUSTICE ANIS
WRIT PETITION No.15812 of 2015

ORDER: (Per Hon'ble Sri Justice Nooty Ramamohana Rao)

None appears today. None appeared on 09.06.2015 and 08.07.2015 as well. When the matter appeared on 20.07.2015, it was adjourned for one week. But, however, no one appeared today.

The petitioners questioned the correctness of the orders passed by the Andhra Pradesh Administrative Tribunal in O.A.No.5142 of 2014.

The petitioners have instituted the said O.A. seeking a direction to the respondents to permit them to encash half pay leave available in pursuance of the orders passed by the State Government contained in G.O.Ms.No.154, Finance Department dated 04.05.2010. The petitioners herein are all retired teachers. Therefore, what the Tribunal did was it has admitted the O.A. and issued notice returnable to the respondents. It is against this order, the present writ petition has been filed.

At the very outset, the Andhra Pradesh Administrative Tribunal has recorded a fact that all the petitioners are retired teachers and they are praying encashment of certain half pay leave. In case, any such interlocutory relief is granted and ultimately the O.A. was got dismissed, the State would find it extremely difficult to recover the money so paid from pensioners. Therefore, the balance of convenience does not lie in passing any such *ex parte* order. We find no error having been committed by the Tribunal in issuing notice on the interlocutory relief. Therefore, we find no merit in the writ petition.

Accordingly, the writ petition is dismissed.

Consequently, miscellaneous petitions, if any, pending shall also stand dismissed. No costs.

JUSTICE NOOTY RAMAMOHANA RAO

JUSTICE ANIS

27.07.2015
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