

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

-
WRIT PETITION Nos.25971, 25975, 25976, 25984,
25992 and 25999 of 2015

Between:

Jagata Srinu, and others

_____. .. Petitioner

and

The State of Andhra Pradesh
Rep. by its Principal Secretary
Irrigation Department
Secretariat, Hyderabad
and others

.. Respondents

DATE OF ORDER PRONOUNCED: 18.08.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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

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THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION Nos.25971, 25975, 25976, 25984,
25992 and 25999 of 2015

COMMON ORDER:

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The petitioners are contractors, who executed the works under different agreements of Neelam Cyclone in the year 2012. It appears that the Vigilance & Enforcement officials inspected the records and found some irregularities. On the basis of the letters submitted by the Vigilance & Enforcement Department, the Executive Engineer issued notices asking the petitioners to pay certain amounts found to have been paid as excess. Challenging the said notices issued by the Executive Engineer, these writ petitions are filed.

The learned counsel for petitioners submits that without issuing any notice or giving opportunity to the petitioners, the Executive Engineer issued the impugned notices for recovery of amounts. Since the impugned notices are for recovery of amounts from the petitioners, who executed the works way back in the year 2012, it is in the fitness of things that the petitioners should be put on notice with regard to the proposed recovery.

In the circumstances, since the impugned notices contain the details with regard to the proposed recovery, liberty is given to the petitioners to submit their explanation pursuant to the notices within fifteen (15) days, from the date of receipt of a copy of this order, to the second respondent, and the second respondent shall consider the said explanation and pass fresh orders for recovery, if any, within thirty (30) days thereafter. Till such time, the second respondent shall not take any coercive steps against the petitioners.

With the above directions, these Writ Petitions are disposed of. There shall be no order as to costs.

Miscellaneous petitions pending, if any, in these Writ Petitions shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 18.08.2015

MVA

Date: 18.08.2015

MVA