

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.41344 of 2016

ORDER :

Heard the counsel for petitioner, and Sri S.V. Ramana, counsel for respondents.

2. The petitioner herein has assailed proceedings dt.05.08.2016 issued by 2nd respondent, directing recovery of alleged excess payment of Rs.2,34,677/- from petitioner who is employed as a Conductor in the Waltair Depot of the 1st respondent-Corporation on the alleged ground that the said amount was paid in excess.

3. No prior notice was given to petitioner before passing of the impugned order, and no material is also supplied to petitioner on what basis the conclusion was drawn by 2nd respondent that the amount sought to be recovered was actually excess payment.

4. Therefore, the impugned order is set aside, and the 2nd respondent is directed to supply to petitioner the material in his possession along with the show-cause notice proposing recovery of the amount with all details so that petitioner can satisfy himself or object to it.

5. After considering petitioner's reply to the said show-cause notice, which shall be filed within a period of four (04) weeks from the date of receipt of a copy of the show-cause notice and supporting

material, the 2nd respondent shall pass a reasoned order and communicate the same to petitioner.

6. Accordingly, the Writ Petition is allowed. No order as to costs.

7. As a sequel, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 29-11-2016

Ndr/*

