

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT**

PUBLIC INTEREST LITIGATION No.330 of 2015

Dt:18.01.2016

Between:

S.Vijay Kumar.

... Petitioner

And

The State of Andhra Pradesh and others.

... Respondents

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT**

PUBLIC INTEREST LITIGATION No.330 of 2015

PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the parties.

The petitioner, in the instant PIL, seeks the following relief:

“For the reasons mentioned in the accompanying affidavit, the petitioner herein prays that this Hon'ble Court may be pleased to issue a writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the inaction on the part of respondent Nos.2 to 6 for taking appropriate action, in pursuance of the Government Memo No.9690/VC1 (1)/2013, dated 31.08.2013 issued by respondent No.1 for recovery of the amount to a tune of Rs.1,20,95,452/- and action against the erring officials responsible as illegal, arbitrary, violative of Article 15 of the Constitution of India and consequently direct respondent Nos.2 to 6 to take appropriate action on the Government Memo No.9690/VC1(1)/2013, dated 31.08.2013 issued by respondent No.1 and pas such other order or orders as this Hon'ble High Court may deem fit and proper in the circumstances of the case.”

Respondent No.5 has filed counter-affidavit and has stated on affidavit that they have already initiated proceedings to recover the misappropriated amount from the erring officers.

Learned Government Pleader for Medical & Health submits that respondent No. 5 has already recovered some amounts from some of the erring officers. He submits that respondent No.5 shall continue

the efforts to recover amounts due from the officers till the entire amount is recovered.

We have perused the counter-affidavit. It appears that liability has already been fixed against each of the officers and criminal cases have also been filed against them. Over and above this, the respondents have also initiated departmental enquiry against the erring officers.

In view thereof and in view of the statements made on affidavit in the counter-affidavit, we dispose of the PIL with the observation that the respondents shall take actions initiated against the erring officers including to recover the misappropriated amounts, to their logical conclusion.

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

Dt:18.01.2016

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