

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SMT. JUSTICE T.RAJANI

CIVIL REVISION PETITION No.1202 of 2017

10.03.2017

Between:

P.Nageshwar Rao and others

..Petitioners

and

M/s.Sreenilaya Chit Fund (P) Ltd., Hyderabad and another

..Respondents

Counsel for the petitioners: Mr.G.Ravichandran

Counsel for respondent No.1: Mr.V.S.R.M.V.Prasad Sanka

Counsel for respondent No.2: -

The Court made the following:



ORDER: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This civil revision petition arises out of order, dated 27.12.2016, in E.A.No.1140 of 2016 in E.P.No.37 of 2016 in ARB/CF No.370 of 2015 on the file of I Senior Civil Judge, City Civil Court, Hyderabad.

2. Though several aspects have been raised in this revision petition, Mr.G.Ravichandran, learned counsel for the petitioners, has confined his submissions only to the aspect relating to the alleged recovery of amount from the salaries of the petitioners in excess of the E.P. claim of Rs.10,71,174/-. According to him, so far more than Rs.12 lakhs has been recovered from the salaries of the petitioners.

3. Mr.V.S.R.M.V.Prasad Sanka, learned counsel for respondent No.1, while contradicting the above submission of the learned counsel for the petitioners, conceded that his client is not entitled to recover any amount in excess of Rs.10,71,174/- under the present E.P.

4. In the light of the above submissions of the learned counsel for both the parties, the Civil Revision Petition is disposed of with the observations that if respondent No.1 has recovered E.P. amount from the salaries of the petitioners, it is not entitled to recovery any amount in excess thereof. If there is any shortfall in such recovery, respondent No.1 is entitled to recover the same. Conversely, if any excess amount is recovered, respondent No.1 shall redeposit the same to the credit of the E.P.No.37 of 2016 to enable the Court below to refund such amount to the petitioners. It is further made clear that this order will not preclude respondent No.1 from filing a fresh E.P., if it is entitled to recover any amount in excess of the amount for which E.P.No.37 of 2016 has been filed.

5. As a sequel to disposal of the C.R.P., C.R.P.M.P.No.1610 of 2017 filed by the petitioners for interim relief shall stand disposed of as infructuous.

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C.V.NAGARJUNA REDDY, J

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T.RAJANI, J

10<sup>th</sup> March, 2017  
GHN

