

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.20600 OF 2001

ORDER:

This writ petition is filed seeking to issue a Writ of Mandamus declaring the action of the respondents in imposing penalty of recovery of Rs.18,785.21 ps from the petitioner as illegal and arbitrary, and further to direct the respondents not to recover the said amount.

Heard Sri S.M.Subhan, learned counsel for the petitioner and Sri P.Durga Prasad, learned standing counsel for APSRTC.

It is contended by the learned counsel for the petitioner that without conducting any enquiry and without giving any opportunity to the petitioner, the respondents have imposed the penalty of recovery of Rs.18,785.21 ps. from the petitioner.

At the time of admission of the writ petition, no interim orders were granted staying the recovery. The petitioner was aged about 59 years as on the date of filing of this writ petition in the year 2001; and he must have retired from service during the pendency of this writ petition; and the amounts must have already been recovered from the petitioner. Hence, the cause in the writ petition does not survive for adjudication and has become infructuous.

Therefore, the writ petition is dismissed as infructuous.

Pending miscellaneous petitions, if any, shall also stand dismissed.

No order as to costs.

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ABHINAND KUMAR SHAVILI ,J

Date:4.12.2017

KPM