

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

THE HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN

and

THE HON'BLE SRI JUSTICE M. GANGA RAO

Writ Petition Nos.42313 and 42322 of 2017

W.P.No.42313 of 2017

Between:

P. Chandra Mouli Reddy, S/o P. Nagi Reddy, aged
About 38 years, Police Constable (PC-289),
O/o The Commandant, 14th Bn. APSP,
Ananthapuram, Ananthapuram District, A.P. and 4 others

... Petitioners

Vs.

The State of Andhra Pradesh, represented by its
Principal Secretary to Government, Home Department,
Secretariat Buildings, Velagapudi at Amaravathi,
Tullur Mandal, Guntur District and 4 others

.. Respondents

W.P.No.42322 of 2017

Between:

L. Chenaiah, S/o L. Swamedhasu, aged about 35 years,
Police Constable (PC.290), O/o The Commandant,
14th Bn. APSP, Ananthapuramm, Ananthapuram District
A.P. and 31 others

... Petitioners

Vs.

The State of Andhra Pradesh, represented by its
Principal Secretary to Government, Home Department,
Secretariat Buildings, Velagapudi at Amaravathi,
Tullur Mandal, Guntur District and 4 others

.. Respondents

For Petitioner : Mrs. S. Pranathi

For Respondents : G.P. for Services-I (A.P.)

**HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND**

HON'BLE SRI JUSTICE M. GANGA RAO

Writ Petition Nos.42313 and 42322 of 2017

COMMON ORDER: *(V. Ramasubramanian, J)*

Aggrieved by the dismissal of their Original Applications by the Andhra Pradesh Administrative Tribunal, the petitioners in both the writ petitions have come up with the above writ petitions.

2. The petitioners herein filed Original Applications, challenging an order by which the grant of Special Grade Scale was back in the year 2011 was sought to be cancelled in the year 2016, with a consequential direction to recover the excess payment. The Tribunal dismissed the Original Applications at the stage of admission on the ground of availability of alternative remedy.

3. But it appears that on the same issue, at least one more application in O.A.No.2869 of 2016 has been admitted by the Tribunal and an interim stay of recovery granted. Therefore, there is no point in directing the petitioners alone to avail the alternative remedy of appeal.

4. Hence, the writ petitions are allowed, the orders of the Tribunal are set aside and the Original Applications are remitted back to the Tribunal. The Tribunal shall club O.A.Nos.946 of 2017 and 870 of 2017 along with O.A.No.2869 of 2016 for disposal in accordance with law. Till then the petitioners will also be entitled to

interim stay of recovery, on par with the applicants in O.A.No.2869 of 2016. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

M. GANGA RAO, J

Date: 13-12-2017

Ksn

