

HON'BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P. No. 3971 of 2018

ORDER:- (ORAL)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

This writ petition is filed assailing the order dated 31.05.2017 in O.A.No. 300 of 2014 passed by the A.P. Administrative Tribunal, Hyderabad, whereby the application filed by the petitioners under Section 19 of the Administrative Tribunals Act, 1985 was dismissed with costs.

The learned counsel for the petitioners submits that when similar issue was raised in W.P.No. 7868 of 2010, this Court, by order dated 09.10.2013, while disposing of the writ petition, restricted recovery from the petitioners therein to half of the excess amount paid to them. Identical view was also taken in W.P.No. 27371 of 2015 vide order dated 08.09.2015.

The learned Government Pleader for Services (A.P) appearing on behalf of the respondents has not disputed the submission of the learned counsel for the petitioners.

In view of the above submissions, this Court, while upholding the findings recorded by the Tribunal, modifies the impugned order dated 31.01.2017 passed in O.A.No. 300 of 2014 to the effect that recovery from the petitioners shall be restricted to half of the excess amount paid to them.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

08.02.2018

ABHINAND KUMAR SHAVILI, J

bcj

