

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.Nos.15686 & 31643 OF 2011

COMMON ORDER

Since the issue involved in both the writ petitions is one and the same, they are being disposed of by this common order.

When the matter is taken up for hearing, learned counsel appearing for the petitioners submits that after retirement of the petitioners, punishment of recovery was imposed against them and this issue is squarely covered by the judgment of this Court in *M.T.Rao v. Andhra Pradesh State Road Transport Corporation, Vizianagaram region, rep. by its Regional Manager and another*¹, wherein it was held as under:

“The punishment of the nature, referred to above, would carry any meaning, if only an employee is in service. It does not result in any recovery of the amount, which has already been earned by the employee in the form of emoluments. Once the petitioner had retired from service, punishment of reducing his basic pay by one incremental stage is almost a futile exercise. The 2nd respondent does not appear to have realized this and had imposed the punishment in routine manner. Therefore, even if the

¹ 2008(5) ALT 650

impugned order is permitted to remain in force, it would not have any effect upon the retirement benefits of the petitioner.

Hence, the writ petition is disposed of, directing that notwithstanding the punishment imposed against the petitioner, through the impugned order, dated 21.09.2007, the respondents shall release all the retirement benefits to the petitioner, without any deductions, on the basis of the said order. There shall be no order as to costs.”

Learned Standing Counsel appearing for the respondent-Corporation does not dispute the same.

Accordingly, both the Writ Petitions are disposed of directing the respondent-Corporation to release all the retiral benefits to the petitioners without any deductions, in terms of the order passed by this Court in *M.T.Rao vs APSRTC* (cited supra). No costs.

Miscellaneous petitions, if any, pending shall stand closed.

17th September, 2018
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JUSTICE ABHINAND KUMAR SHAVILI

