

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 15698 of 2004

ORDER:

This writ petition is filed seeking to issue a writ of mandamus declaring the action of the respondents in recovering the missing ticket blocks value of Rs.2,250/- from the petitioner's salary vide order dated 22.02.2003 without conducting domestic enquiry on the charge sheet and without recording the statement of the petitioner in the preliminary enquiry and in rejecting the appeal vide proceedings dated 21.07.2004, as illegal and arbitrary.

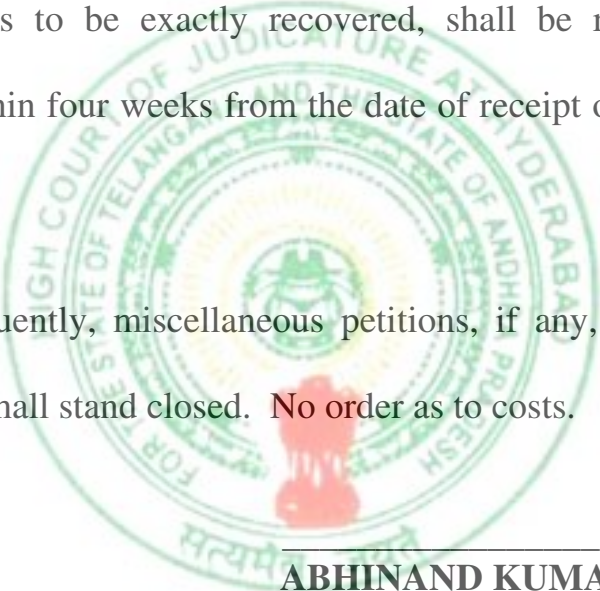
Learned counsel for the petitioner has contended that the 1st respondent passed the impugned order dated 22.02.2003 ordering recovery of Rs.2,250/- from the salary of the petitioner towards cost of ticket blocks; that the face value of the tickets lost cannot be recovered and only the printing and stationery charges of tickets lost and ticket tray cost can be recovered; that the issue raised in this writ petition is squarely covered by a judgment dated 24.07.2000 rendered by this Court in *Ch.P.Reddy Vs. APSRTC, Hyderabad*¹ wherein it is held that the corporation is entitled to recover only the cost of printing the tickets and the tray and other articles, but not the value of the tickets found lost; and that, therefore, the writ petition is liable to be allowed.

¹ 2000 (5) ALD 93

Learned counsel for the respondent corporation has not disputed the judgment relied on by the learned counsel for the petitioner.

Having considered the rival submissions made by the learned counsel for the parties and perused the record, the writ petition is disposed of directing the respondent corporation to recover only the cost of printing the tickets, the tray and other articles from the petitioner. The amount, if any, recovered from the petitioner in excess than what has to be exactly recovered, shall be refunded to the petitioner within four weeks from the date of receipt of a copy of this order.

Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No order as to costs.



ABHINAND KUMAR SHAVILI, J

5th December, 2018
cbs

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Writ Petition No. 15698 of 2004
(disposed of)

5th December, 2018

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