

**THE HON'BLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION No.1316 OF 2020**

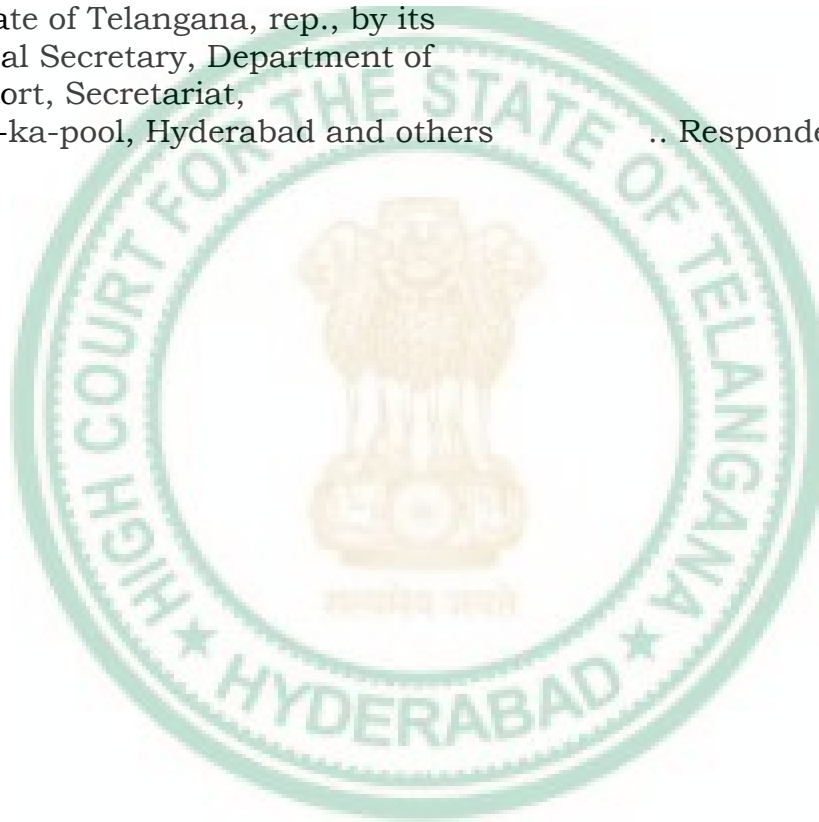
Dated:30.01.2020

Between:

B.S.H. Prasad, S/o. Late B. Venkata  
Padmam, aged 59 years, Occ: Rtd., LH,  
HCU Depot, E.113311, R/o. Plot No.37,  
H.No.4-12-350, Sai Nagar Colony,  
Road No.2, Bhagyalatha Phase-I,  
Vanasthalipuram, Hyderabad and another .. Petitioners

And

The State of Telangana, rep., by its  
Principal Secretary, Department of  
Transport, Secretariat,  
Lakadi-ka-pool, Hyderabad and others .. Respondents



This Court made the following:

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**ORDER:**

Heard learned counsel for the petitioners, learned Government Pleader for Transport for respondent No.1 and Sri N. Vasudeva Reddy, learned standing counsel for TSRTC for respondents 2 to 8.

2. This Writ Petition is filed seeking to declare the action of the Depot Manager, Kukatpally Depot, the 3<sup>rd</sup> respondent, in not taking further course of action pursuant to the legal notice dated 20.08.2019 to withhold/deduct the retirement benefits of the 9<sup>th</sup> respondent, who is going to be retired on 31.01.2020, as illegal and arbitrary.

3. Petitioners allege that 9<sup>th</sup> respondent availed loan from TSRTC Employees Thrift and Credit Cooperative Society Limited, respondents 7 and 8 in the year 2013.

4. According to learned counsel for the petitioners, only on the ground that petitioners stood as guarantors and borrower (respondent No.9) defaulted in payment, amount was recovered from the petitioners.

5. When the matter is taken up, learned standing counsel for the respondent – Corporation produced copy of notification No.PD-03/2019, dated 26.12.2019, extending the age of retirement from 58 years to 60 years and submits that in view of the same, the 9<sup>th</sup> respondent continues to be in service.

6. In view of the same, the cause in the Writ Petition does not survive for adjudication.

7. The Writ Petition is accordingly dismissed leaving it open to the petitioners to work out remedies as and when fresh cause of action arises. It is always open to the petitioners to make appropriate application to the employer as well as to the society to recover the amounts from borrower. There shall be no order as to costs. Pending Miscellaneous Petitions, if any, shall stand closed.

Date:30.01.2020

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**P. NAVEEN RAO, J**

