

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

THURSDAY, THE NINETEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI
AND
THE HONOURABLE SRI JUSTICE LAXMI NARAYANA ALISHETTY**

**REV.IA.No.1 OF 2024
IN
WRIT PETITION NO: 11837 OF 2019**

Between:

1. Union of India represented by the General Manager, South Central Railway, Rail Nilayam, Secunderabad.
2. The Financial Advisor and Chief Accounts Officer South Central Railway, Rail Nilayam, Secunderabad.
3. The Divisional Railway Manager, South Central Railway, Secunderabad.

...PETITIONERS/PETITIONERS

AND

Nagamuni Kumari, D/o Late A.V. Ramana Aged about 68 Years, R/o
H.No.24-14414, Vimaladevi Colony Vishnupuri, Malkajgiri Hyderabad - 500
047.

...RESPONDENT/RESPONDENT

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to allow the review petition by reviewing the order dt.11.06.2024 passed in WP No. 11837 of 2019.

This Petition coming on for hearing, upon perusing the petition and Memorandum of Grounds filed in support thereof and upon reading the Order dt: 11.06.2024 in W.P.No.11837/2019 and upon hearing the arguments of Sri AKHILESHWAR, Counsel for the Review Petitioners and of Sri A.RAGHU KUMAR, on behalf of the Respondent: the Court made the following: **ORDER**

This application is filed seeking to review the order dated 11.06.2024 passed by this Court in W.P.No.11837 of 2019.

Sri Akhileshwar, learned counsel appearing for the review petitioners had contended that the review petitioners have erroneously paid amounts to the respondent's father and during his life time, the respondent's father has refunded an amount of Rs.8,25,111/- and after expiry of his father, the respondent has also paid an amount of Rs.1,28,835/- from the family pension. After repaying the entire amount, the respondent has approached the Central Administrative Tribunal, Hyderabad, by filing O.A.No.354 of 2017 and the Tribunal vide order 01.02.2019 allowed the said OA. Aggrieved by the same, the review petitioners have approached this Court by filing W.P.No.11837 of 2019 and this Court dismissed the writ petition vide order dated 11.06.2024 by holding that the issue is squarely covered by the judgment of the Apex Court in *State of Punjab & others vs. Rafiq Masih (White Washer) & Others* (2015 (4) SCC 334).

Learned counsel appearing for the review petitioners had further contended that the issue is not squarely covered by the judgment of the Apex Court in *Rafiq Masih'* case. Therefore, the order dated 11.06.2024 passed by this Court in W.P.No.11837 of 2019 and the order dated 01.02.2019 passed by the Tribunal in O.A.No.354 of 2017, be suspended.

Since the case requires detailed examination, the order dated 01.02.2019 passed by the Tribunal in O.A.No.354 of 2017 is stayed.

Issue notice to the respondent.

Learned counsel appearing for the review petitioners is permitted to take out personal notice to the respondent and file proof of service.

List on 23.01.2025.

SD/-P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. One CC to SRI AKHILESHWAR, Advocate [OPUC]
2. One CC to SRI A.RAGHU KUMAR, Advocate [OPUC]
3. The Section Officer, Service Section, High Court for the State of Telangana, at Hyderabad.
4. The Section Officer, Posting Section, High Court for the State of Telangana, at Hyderabad. [OUT]
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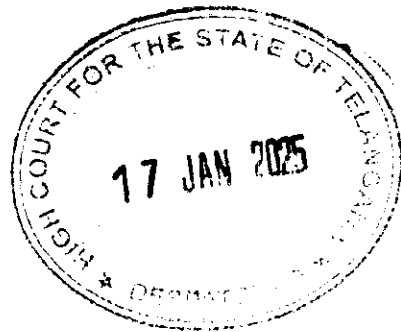
HIGH COURT

DATED:19/12/2024

NOTE: LIST ON DT:23.01.2025

ORDER

**REV.IA.No.1 OF 2024
IN
WP.No.11837 of 2019**



DIRECTION

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