APHC010585232026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3460]**
(Special Original Jurisdiction)

TUESDAY, THE 3rd DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 32058/2026

Between:

1. EVANI SATYANARAYANA,, S/O E. RAMAKRISHNA GHANAPATHI, AGED 64 YEARS, OCC. ENVIRONMENTAL ENGINEER, (RETIRED), 0/0 A.P. POLLUTION CONTROL BOARD, VIJAYAWADA, NTR DISTRICT, R/O FLAT NO. 301, PLOT NO. 472, SRI SAI CHANDRA NIVAS, LANE OPP, DAV PUBLIC SCHOOL, MATRUSRINAGAR, MIYAPUR, HYDERABAD-500049.

...PETITIONER

AND

1. THE STATE OF A P, REP BY ITS PRINCIPAL SECRETARY, ENVIRONMENT, FORESTS, SCIENCE AND TECHNOLOGY DEPARTMENT, SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT-522238.
2. THE MEMBER SECRETARY, A.P, POLLUTION CONTROL BOARD, APIIC COLONY, AUTONAGAR, VIJAYAWADA, NTR DISTRICT-520007

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased toto issue an appropriate order or directions more particularly, one in the nature of Writ of Mandamus, declaring the action of the respondents in not releasing the Encashment of Earned Leave on pendency of Criminal Case vide FIR No. 04/RCAC1U-ACB/2018 dated

16.07.2018 and Charge Memo vide proceedings No. 5/APPCB/HO/Estt./2014-20, dated 22.07.2024 as highly illegal, arbitrary, discrimination, contrary to orders of this Honble Court and violation of Article 14, 16 and 21 of the Constitution of India and consequently direct the respondents to release the Encashment of Earned Leave to the petitioner, pendency of the above criminal case and charge memo in pursuance of G.0.Rt.No.1097, Finance and Planning (FW.Pen.1) Department, dated 22.06.2000 and in terms of W.A.No 196 of 2022 dated 16.02.2022

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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 direct the respondents to release the Encashment of Earned Leave, to the petitioner forthwith in pursuance of G.O.Rt.No.1097, Finance & Planning (FW.Pen.1) Department, dated 22.06.2000 and in terms of similar orders in W.A.No 196 of 2022 dated 16.02.2022 pending disposal of the above writ petition

Counsel for the Petitioner:

1. T S N SUDHAKAR

Counsel for the Respondent(S):

1. GP FOR SERVICES IV

The Court made the following:

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ORDER:

1. The present Writ Petition is filed questioning the action of the Respondent-Authorities in not releasing the earned leave encashment amount due to the Petitioner, as illegal and arbitrary.

2. The Petitioner had retired from service as Environmental Engineer from the Office of the A.P. Pollution Control Board, Vijayawada, NTR District, upon attaining the age of superannuation on 31.07.2022. While in service, a First Information Report was registered against the Petitioner by the Anti-Corruption Bureau (ACB) authorities under Section 13(1)(e) read with Section 13(2) of the Prevention of Corruption Act, 1988, vide FIR No.04/RCA-CIU-ACB/2018, dated 16.07.2018, on the ground that the Petitioner was possessing disproportionate assets to his known sources of income.

3. Thereafter, a departmental enquiry was initiated against the Petitioner, and a charge memorandum under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, was issued against the Petitioner on 22.07.2024, and the said departmental case is pending. In the present Writ Petition, the Petitioner seeks the release of the earned leave encashment amount,

as he retired from service on 31.07.2022, in terms of G.O.Rt.No.1097, Finance and Planning (FW.Pen.I) Department, dated 22.06.2000, and as interpreted by the Division Bench of this Court in its order dated 16.02.2022 in W.A.No.196 of 2022. Hence, the Writ Petition came to be filed.

4. Learned Standing Counsel for the Respondents submitted that appropriate steps will be taken by the concerned authorities in terms of the order passed by the Division Bench of this Court dated 16.02.2022 in W.A.No.196 of 2022.

5. Heard Sri T.S.N. Sudhakar, learned counsel for the Petitioner as well as learned Standing Counsel for the Respondents.

6. The Division Bench of this Court in W.A.No.196 of 2022, vide its order dated 16.02.2022, had permitted the payment of earned leave encashment, notwithstanding the pendency of the criminal case, and had set aside the claim with respect to the payment of 80% of retirement gratuity. Hence, this Writ Petition is disposed of with the following directions:-

(i) The Respondent-Authorities are directed to release the Earned Leave Encashment amount due to the

Petitioner within a period of three months from the date of receipt of a copy of this order.

7. No order as to costs.

8. As a sequel, miscellaneous petitions, pending if any, shall stand closed.

JUSTICE NYAPATHY VIJAY

Date: 03.11.2026
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Dated: 03.11.2026

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