

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No.: W.P.No.4123 of 2026

PROCEEDING SHEET

SL. No.	DATE	ORDER	OFFICE NOTE
	12.02.2026	<u>DR, J</u> Heard the learned counsel for the petitioner. The writ petition is filed seeking a declaration that the action of the 3rd respondent in issuing the proceedings Roc.No.B1/77/2023 dated 04.02.2026, directing recovery of an amount of Rs.15,34,016/- towards the study period from 24.02.2022 to 11.10.2023, after a lapse of more than two years, is illegal and arbitrary. Initially, the petitioner was appointed on compassionate grounds, and subsequently he was promoted as Hostel Welfare Officer Worker vide proceedings dated 05.11.2018. Thereafter, when the respondents insisted upon possession of B.Ed qualification, the petitioner submitted an application seeking permission to pursue higher education. The said request was duly considered and permitted by the District Collector vide proceedings dated 21.03.2022. Pursuant thereto, the petitioner pursued the B.Ed course during the period from 24.02.2022 to	

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		11.10.2023. Subsequently, when the respondents passed a reversion order on the ground that the petitioner did not possess the requisite qualification at the time of promotion, the said action was assailed in W.P.No.21270 of 2025, and this Court, after considering the matter, passed an interim order dated 13.08.2025 suspending the operation of the impugned order dated 14.07.2025. Thereafter, the respondents issued the present impugned proceedings dated 04.02.2026, directing the petitioner to remit an amount of Rs.15,34,016/-, on the ground that the permission granted to the petitioner was allegedly contrary to G.O.Ms.No.342 dated 30.08.1977, contending that under the said G.O., exemption is available only to first-generation employees, and since the petitioner was appointed on compassionate grounds, he is not entitled to the benefit under G.O.Ms.No.342, and therefore is liable to remit the said amount. The learned counsel for the petitioner submits that an identical issue was considered by this Court in W.P.No.22638 of 2025, dated 30.08.2025, wherein also benefit under G.O.Ms.No.342 was initially granted and later recovery proceedings were initiated on the ground that such grant was contrary to the said G.O. In the said case, this Court, after considering the matter, passed an interim	

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		direction restraining the respondent authorities from effecting recovery of the amount from the petitioner therein. Considering the aforesaid submissions and upon perusal of the permission order dated 21.03.2022 and the impugned proceedings, it is evident that the petitioner had made a formal application for permission to pursue higher studies, the same was duly considered and permitted by the competent authority, and it is not in dispute that the petitioner pursued higher education during the period from 24.02.2022 to 11.10.2023. In view of the above circumstances, once the petitioner was permitted by the competent authority and has already pursued higher education, the question as to whether he is eligible for the benefit under G.O.Ms.No.342 or not is not material at this stage. Accordingly, the impugned proceedings dated 04.02.2026 issued by the 3rd respondent are hereby suspended. For filing counter, post the matter after four (04) weeks. _____ DR, J klk	

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