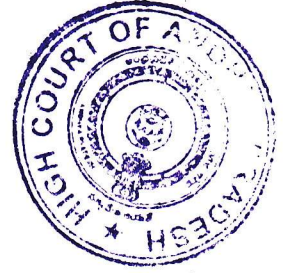


APHC010477582021



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



**TUESDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

AND

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION NO: 29015 OF 2021

Between:

1. The Government of AP, rep. by its Principal Secretary, Education Department, Secretariat, Velagapudi, Amaravathi.
2. The Director of School Education, Andhra Pradesh, .
3. The District Educational Officer, Srikakulam Srikakulam District.
4. The Mandal Educational Officer, Saravakota Mandal, Srikakulam District.
5. The Deputy Director, District Treasury Office, Srikakulam District

...Petitioners

AND

P Ravi Prasada Rao, S/o Ponduru Dalayya, Aged about 39 years, Working as S.G. Teacher, M.P.P. School, Sivarampuram Village, Venkatapuram Post, Saravakota Mandal, Srikakulam District. R/o Flat No.404, Balaji Residency, New Colony, Srikakulam - 532 001.

...Respondent

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 to issue an appropriate writ or direction more particularly one in the nature of WRIT OF CERTIORARI calling for the records relating to and connected with in O.A.No.7167/2014 on the file of the Hon'ble Andhra Pradesh Administrative Tribunal and to quash or set aside the order dated. 24.03.2015 made in OA.No.7167/2014 to the extent it is against to the writ petition are secured by allow the writ petition to recover the excess payment made

IA NO: 1 OF 2021

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 suspend the operation of the orders dated. 24.03.2015 made in OA.No.7167/2014 on the file of the Hon'ble Andhra Pradesh Administrative Tribunal Hyderabad pending disposal of the WP

IA NO: 1 OF 2025

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 may be pleased to receive the counter affidavit on record by allowing the leave petition in the writ petition No. 29015/2021 in the interest of justice

Counsel for the Petitioners: GP FOR SERVICES III (AP)

Counsel for the Respondent: SRI THOTA RAMAKOTESWARA RAO

The Court made the following order:



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
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**TUESDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

**PRESENT
THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
AND
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WRIT PETITION No.29015 OF 2021

Between:

1. The Government of Andhra Pradesh, rep. by its Principal Secretary, Education Department, Secretariat, Velagapudi, Amaravathi.
2. The Director of School Education, Andhra Pradesh.
3. The District Educational Officer, Srikakulam Srikakulam District.
4. The Mandal Educational Officer, Saravakota Mandal, Srikakulam District.
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AND

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...Respondent

Counsel for the Petitioners : The G.P. for Services III

Counsel for the Respondent : Mr.Thota Ramakoteswara Rao

The Court made the following **ORDER**: (*per* Hon'ble NJS,J)

Heard learned Assistant Government Pleader for Services-II and also learned counsel for the respondent.

2. Aggrieved by the orders dated 24.3.2015 in O.A. No.7167 of 2014 passed by the erstwhile Andhra Pradesh Administrative Tribunal at Hyderabad, the State filed the present writ petition.
3. The respondent-applicant filed the said O.A., challenging the Proceedings dated 18.10.2014 and the consequential Proceedings dated 23.10.2014, wherein the pay fixation of the applicant was revised and an amount of Rs.2,59,643/- was sought to be recovered from his salary in instalments. The learned Tribunal while observing that in view of Rule 6(15) of G.O.Ms.No.95, Finance (FR.II) Department, dated 03.4.2012 and Sub Rule (15) under Rule 19 of the Fundamental Rules, the applicant is entitled to fixation of pay not limiting his advance increments, allowed the O.A., by following the orders dated 14.3.2014 in O.A. No.6823 of 2013.
4. At the time of considering the matter, learned counsel for the respondent placed copies of the order dated 31.8.2023 in Writ Petition No.9586 of 2015 passed by a Division Bench of the High Court of Telangana, and the order dated 23.4.2025 in Writ Petition No.38240 of 2015 passed by a Coordinate Bench of this Court, for perusal. From a reading of the order in W.P.No.9856 of 2015, it is discernible that the State filed the said writ petition against the order passed by the A.P.A.T., in O.A. No.6823 of 2013 and the same was upheld by the High Court. The learned Assistant Government Pleader has not placed any material to show that the order in O.A. No.6823 of 2013, which was upheld by the Division Bench, was reversed by the Apex Court. Further, a Coordinate Bench of this Court in similar circumstances dismissed the writ petition filed by the State vide orders dated 23.4.2025 in W.P. No.38240 of 2015.

5. In the light of the undisputed position, more particularly as the orders in O.A. No.6823 of 2013, by following which the present order under challenge came to be passed, was upheld, the present writ petition is liable to be dismissed.

6. Accordingly, the writ petition is dismissed. No order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

//TRUE COPY//

Sd/- N NAGAMMA
ASSISTANT REGISTRAR

NB

SECTION OFFICER

To,

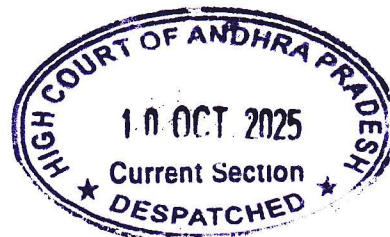
1. Two CCs to GP FOR SERVICES III (AP) High Court of Andhra Pradesh [OUT]
2. One CC to SRI THOTA RAMAKOTESWARA RAO Advocate [OPUC]
3. Two CD Copies

gsg

HIGH COURT

DATED: 05/08/2025

**ORDER
WP NO. 29015 OF 2021**



**DISMISSING THE WP
WITHOUT COSTS**