

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
CIVIL APPEAL NO(s). 1143 OF 2006

SECY. TO GOVERNMENT OF A.P. & ORS.

Appellant (s)

VERSUS

S.MAHABOOB SAHEB

Respondent(s)

(With office report )

Date: 13/01/2011 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM  
HON'BLE MR. JUSTICE R.M. LODHA

For Appellant(s)

Mr. I. Venkatanarayana, Sr. Adv.  
Mr. G.N.Reddy, Adv.  
Mr. V. Pattabliram, Adv.

For Respondent(s)

Mr. S.B. Sanyal, Sr. Adv.  
Mr. K. Murthi Rao, Adv.  
Ms. K. Radha, Adv.  
Mrs. Anjani Aiyagari, Adv.

UPON hearing counsel the Court made the following  
O R D E R

The appeal is disposed of leaving the question of  
law open.

(Neetu Khajuria)  
Sr.P.A.

(S.S.R. Krishna)  
Court Master

(Signed order is placed on the file.)  
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1143 OF 2006

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O R D E R

In course of arguments Mr. S.B. Sanyal, learned  
senior advocate appearing for the respondent produced  
before us a copy of the Government Order issued by  
Finance (Admn.I.VIG.) Department under G.O.Rt.No.4512

dated 29.12.2005.

From the aforesaid Government order, it appears that following an order of remand made by the High Court, the State Government reconsidered the case of Sri T.Venkat Rao, Accounts Officer (Retd.) and revised the punishment order in respect of him from complete forfeiture of pension to withholding of 10% of the pension for a period of five years under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

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Mr. Sanyal referred to the statement made at page 'H' of the synopsis to the paper book, where it is stated that the charges against the present respondent were substantially the same as against Sri T.Venkata Rao and the respondent should also be given the same punishment.

Having regard to the statement made by Mr. Sanyal, we remit the matter to the Government of Andhra Pradesh to consider the case of the respondent in the light of G.O.Rt. No.4512 dated 29.12.2005 relating to the case of Sri T.Venkata Rao. This order will substitute the order passed by the Andhra Pradesh High Court.

The appeal is disposed of accordingly, leaving the question of law open.

This Court hopes and expects that Government shall pass the order within three months from the date of receipt/production of a copy of this order before the Secretary, Finance and Planning (FW Admn.I) Department.

.....J.  
(Aftab Alam)

.....J.  
(R.M. Lodha)

New Delhi,  
January 13, 2011.