

[3488]

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE TENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN**

**IA.No.1 OF 2026
IN/AND
WRIT APPEAL NO: 406 OF 2026**

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated.11/07/2025 in WP.No.25693 of 2023 passed on the file of the High Court.

Between:

1. The State of Telangana, Education (PE.LIB.) Dept., Telangana Secretariat, Hyderabad rep. by its Principal Secretary.
2. The State of Telangana, Finance and Planning Department, Telangana Secretariat, Hyderabad, rep. by its. Principal Secretary.
3. The Director of Public Libraries, Government of Telangana, Afzalgunz, Hyderabad
4. The Zilla Grandalaya, Samstha, Karimnagar, Rep. by its Secretary.

...APPELLANTS/RESPONDENTS

AND

A. Nampalli, S/o. A. Hanumandlu, Aged 63 years, Librarian Gr. III (Retired), O/o. Zilla Grandalaya Samstha, Karimnagar, R/o. H. No.10-2-338/2, V idyanagar, Karimnagar.

...RESPONDENT/WRIT PETITIONER

I.A. NO: 1 OF 2026

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 condone the delay of (227) days in filing the Writ Appeal against the order dated 11.07.2025 passed in W.P. No. 25693 of 2023.

I.A. NO: 2 OF 2026

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 order passed in W.P.No. 25693 of 2023, Dated. 11.07.2025 during the pendency of the appeal.

**Counsel for the Appellants: SRI SANTHAPUR SATYANARAYANA RAO,
GP FOR SERVICES-I**

Counsel for the Respondents: SRI GURRAM SRINIVAS

The Court made the following: COMMON JUDGMENT

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

I.A.No.1 of 2026
in/and
WRIT APPEAL No.406 of 2026

Dated: 10.04.2026

Between:

The State of Telangana.
Education (PE.LIB.) Department,
Telangana Secretariat, Hyderabad.
Rep. by its Principal Secretary,
and 3 others.

...Appellants

and

A.Nampalli

...Respondent

JUDGMENT:

Sri Santhapur Satyanarayana Rao, learned Government Pleader
for Services-I, appears for the appellants.

Learned counsel Sri Gurram Srinivas appears for the respondent.

2. The present appeal arises out of the judgment dated 11.07.2025 passed by the learned writ court allowing W.P.No.25693 of 2023 filed by the respondent herein.

3. The learned writ court by the impugned judgment set aside the order dated 10.07.2020 whereby recovery of Rs.99,000/- was made from the gratuity amount of the respondent on account of not having passed the Accounts Test Part – I within the period of two years, which was a condition on the grant of Special Promotion Post Scale – II on completion of 24 years of service to the respondent who was serving as Librarian in the appropriate grade. The learned writ court directed the appellants to release the refund amount, as the impugned action was without any notice and in clear violation of principles of natural justice. The learned writ court also referred to the decision of the Apex Court in **State of Punjab v. Rafiq Masih¹**.

4. There is a delay of 227 days in filing the instant appeal for condonation of which I.A.No.1 of 2026 has been filed.

5. However, though the prayer for delay is not seriously opposed, learned counsel for the respondent has strongly opposed the present appeal on merits.

¹ (2014) 8 SCC 883

respondent and refund the amount deducted. The latter part of the impugned direction is, therefore, interfered. It is open for the appellants to issue show cause notice and take a decision upon consideration of the respondent's reply on the question of recovery of any amount allegedly paid in excess.

9. I.A.No.1 of 2026 is allowed and the writ appeal is accordingly disposed of. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

**SD/- M.RAMANA KRISHNA
JOINT REGISTRAR**

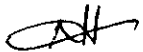
//TRUE COPY//

SECTION OFFICER

To

1. Two CCs to GP FOR SERVICES-I, High Court for the State of Telangana, at Hyderabad. [OUT]
2. One CC to SRI GURRAM SRINIVAS, Advocate [OPUC]
3. Two CD Copies

PSK.
TKS

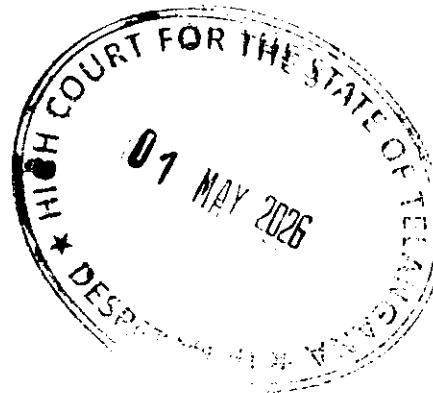


HIGH COURT

DATED: 10/04/2026

COMMON JUDGMENT

**IA.No.1 OF 2026
IN/AND
WA.No.406 of 2026**



**ALLOWING THE IA AND DISPOSING OF THE WRIT
PETITION WITHOUT COSTS**

⑥ NT
29/4/26.