

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

[3302]

FRIDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HON'BLE SRI JUSTICE K. SARATH

I.A.NO.1 OF 2023

IN

WRIT PETITION NO: 21310 OF 2022

Between:

Potta Bikshapathi, S/o. Kattaiah, Aged about 46 years, Business, R/o. H.No. 3-80, Kothulapuram, Narayanapuram, Nalgonda District

...PETITIONER

AND

1. The Telangana State Road Transport Corporation, Rep. by its Managing Director, Bus Bhavan, Musheerabad, T.S.
2. The Regional Manager, TSRTC, Nalgonda Region, Nalgonda District, T.S.
3. The Depot Manager, Yadagirigutta Bus Depot, Yadadri-Bhongir District (earlier Nalgonda), T.S.

...RESPONDENTS

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 Add the sentence i.e. "if penalty was already recovered from the petitioner the same should be refunded to the petitioner" to the last operative para of the order by amending the order dated 5/12/2022 in W.P. No.21310/2022

This petition coming on for hearing, upon perusing the petition and the affidavit filed in support thereof and upon reading the order dated 05.12.2022 in W.P.No.21310 of 2022 and upon hearing the arguments of Sri P. Venkateswar Rao, Counsel for the petitioner and of Sri Gaddam Srinivas, Standing Counsel on behalf of the Respondents, the Court made the following: **ORDER**

"Learned counsel for the petitioner submits that in identical matters this Court passed orders in W.P.No.28032 of 2021 dated 22.12.2022 and directed the respondents therein that 'if the penalty was already recovered from the petitioner, the same should be refunded to the petitioner' and requested to add the said words in the final order passed by this Court in

W.P.No.21310 of 2022 on 05.12.2022 in the operative portion i.e., last line of Para No.4 after the words "payment of Penalty".

In view of the same, I.A. is allowed and the corrigendum issued to the orders passed in W.P.No.21310 of 2022 on 05.12.2022 i.e., add the words at last line of Para No.4 after 'payment of penalty' as follows:

"if the penalty was already recovered from the petitioner,
the same should be refunded to the petitioner"

SD/- P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Managing Director, Telangana State Road Transport Corporation, Bus Bhavan, Musheerabad, T.S.
2. The Regional Manager, TSRTC, Nalgonda Region, Nalgonda District, T.S.
3. The Depot Manager, Yadagirigutta Bus Depot, Yadadri-Bhongir
4. One CC to Sri P Venkateswar Rao Advocate [OPUC]
5. One CC to Sri Gaddam Srinivas (SC FOR TSRTC) Advocate [OPUC]
6. Two CD Copies

MBC

GJP 

HIGH COURT

DATED: 03/03/2023



ORDER

I.A.NO.1 OF 2023

IN

WP NO: 21310 OF 2022

ALLOWING THE I.A.

⑧
MA
21/3/23