

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

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WRIT PETITION NO.31356 OF 2011

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ORDER:

This writ petition is filed under Article 226 of the Constitution of India, for the following relief:

“... to declare the order of termination, dated 02-03-2006 passed by the 1st respondent society as illegal, arbitrary and contrary to Rule 72 of R.P.C.S. Act and Rules 1964 and contrary to G.O.Ms.No.308, dated 30-12-2006 of the Government of A.P. Hyderabad and consequently set aside the termination order and direct the respondents to reinstate the petitioner into service as Paid Secretary of the 1st respondent society with all consequential benefits including unpaid salary for the period worked...”

2. Heard Mr.P.B.Vijay Kumar, learned counsel appearing for the petitioner and learned Government Pleader for Co-operation.

3. When the matter is called today, it is submitted by the learned counsel, appearing for the petitioner that as against the impugned order of termination, dated 02-03-2006, the petitioner herein preferred an appeal, dated 20-04-2009 before the 6th respondent and the same is pending and necessary direction may be issued to the 6th respondent to pass appropriate orders on the said appeal in accordance with law.

4. In fact in the counter affidavit filed by the Deputy Registrar of Co-operative Society, Vizianagaram, it is stated that the petitioner herein preferred an appeal before the District Level Committee on 20-04-2009 and the same is pending with the District Level Committee for taking appropriate action on the said appeal. It is also stated that the District Level Committee is the competent authority to decide the appeal. In the above background, the counsel for the petitioner has requested this Court to direct the 6th respondent to pass appropriate orders on the said appeal said to have been preferred by the petitioner herein. The said request is not opposed by the other side.

5. In view of the above, the writ petition is disposed of, without expressing any opinion as to the entitlement of the petitioner herein, directing the 6th respondent herein to pass appropriate orders on the appeal, dated 20-04-2009 said to have been preferred by the petitioner herein against the order of termination, dated 02-03-2006, in accordance with law within a period of three months from the date of receipt of a copy of this order after giving notice and opportunity of being heard to the petitioner. No order as to costs. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

A.V.SESHA SAI, J

DATED: 19-11-2015

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