

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO.13334 of 2015

ORDER:

The Managing Director of the Andhra Pradesh State Housing Corporation by his Proceedings dated 23-03-2013 imposed a punishment of withholding five annual grade increments with cumulative effect apart from proposing to recover a sum of Rs.1,68,100/- together with interest @ 12% from the petitioner.

Against this order, an Appeal has been preferred and submitted by the petitioner on 10-06-2013. It is stated that the said Appeal is still pending and it has not been disposed of so far. However, in the mean time, an order is passed on 09-03-2015 instructing the Pay & Drawing Officer of the petitioner to recover an amount of Rs.8,890/- per month in nineteen equal monthly installments from the salary of the petitioner commencing from the month of March, 2015 onwards.

In view of the pendency of the Appeal, perhaps, the ends of justice would be adequately served if I direct respondents 1 and 2 to deal with the Appeal, said to have been preferred by the petitioner on 10-06-2013, as more than 1 ½ years time has already elapsed from the date of submission, and dispose it of on merits as expeditiously as possible, preferably within a maximum period of three months from the date of receipt of a copy of this order.

However, pending adjudication and disposal of the Appeal, since the writ petitioner has still few more years of service left for him, eventually, to retire, the recovery, if any, can be given effect to even at a later point of time should the Appeal of the petitioner be rejected. Hence, the said recovery from the salary of the petitioner is deferred till such time the Appeal of the petitioner is not decided.

After hearing the learned Standing Counsel for Andhra Pradesh State Housing Corporation and with his consent the above order is treated as a final order in the writ petition.

With this, the writ petition stands disposed of at the admission stage, but however, without costs.

Consequently, the miscellaneous petitions, if any, stand disposed of.

JUSTICE NOOTY RAMAMOHANA RAO

01.05.2015

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