

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.20125 of 2008

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Between:

Dr. Durgesh Nandini

PETITIONERS

AND

1. Registrar, Osmanina University, Osmania University Campus, Hyderabad,
and another.

RESPONDENTS

ORDER:

This case has a checkered history. However, the entire history is not germane and relevant for the purpose of this writ petition except that on the complaint of the petitioner against the 2nd respondent that he had produced false certificate belonging to Backward Class Community though actually he belongs to forward caste, an enquiry was conducted by the Collector. In the enquiry report a finding was given by the Collector stating that the caste certificate produced by the 2nd

respondent was not genuine and he does not belong to Backward Class community. The 1st respondent-University also conducted a departmental enquiry, the report of which states that though the 2nd respondent produced false caste certificate his selection and appointment was not against the quota fixed for Backward Class community but his appointment was under open category. Further the departmental enquiry also reveals that the very production of false certificate is misconduct though the same was not utilized for employment. For that misconduct, the 2nd respondent was imposed with a punishment of withholding of two increments with cumulative effect, by order dated 21.08.2008. The said order of 1st respondent is under challenge in this writ petition.

When the matter is taken up for hearing, learned counsel for the petitioner, on instructions, submits that on account of passage of time she does not wish to pursue the writ petition, as the same is only with respect to the punishment imposed on the 2nd respondent. However, learned counsel for the petitioner submits that on account of wrong claim made by the 2nd respondent and that the petitioner brought out the illegality committed by the second respondent she was victimized and she was denied promotion which was due to her.

Heard learned counsel for the petitioner and Sri Deepak Bhattacharjee learned counsel for the 1st respondent-University.

The stand taken by the petitioner that not to pursue the writ petition on account of lapse of time, is appreciable. The other grievance of the petitioner is not the subject matter of the present writ petition. However, the petitioner is at liberty to file a representation to the 1st respondent setting out her grievance in detail and as and when such representation is filed, the 1st respondent shall consider the same dispassionately and dispose of the same by granting appropriate relief in accordance with law. The said exercise shall be completed within a period of three months from the date of filing of such representation.

With the above direction, the writ petition is disposed of. No costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

CHALLA KODANDA RAM, J.

10th June, 2015

Js.