

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.3651 of 2015

ORDER:

Heard.

The petitioner while working as a driver in the respondent organization allotted quarter No.18, in Block No.2 situated at Police Lines, Begumpet, Secunderabad. Subsequently, he was removed from service vide proceedings of the Inspector General of Police, Police Transport Organisation, Hyderabad, dated 04-09-2013 on the ground that he was found guilty for the offence punishable under Section 420 IPC and he is convicted in C.C.No.577 of 2009 by judgment, dated 09-07-2013 on the file of the VI Additional Chief Metropolitan Magistrate, Hyderabad, as confirmed in CrI.A.No.596 of 2013 by judgment, dated 24-02-2014 on the file of the Special Judge for Economic Offences-cum-VIII Additional Metropolitan Sessions Judge, Hyderabad. The petitioner states that so far as his conviction is concerned, he has filed CrI.R.C.No.391 of 2014 before this Court and the same is stated to be pending. While so, the petitioner was asked to vacate the quarter allotted to him by serving a Memo, dated 20-01-2015 by the 3rd respondent. The petitioner states that he filed a representation before the 2nd respondent on 04-02-2015 requesting to permit him to continue in the quarter and while the said representation is pending, he has approached this Court apprehending his eviction from the quarter.

Learned Government Pleader has placed before this Court a copy of G.O.Ms.No.248, dated 17-05-1973, which deals with entitlement of the quarter only in terms of para 10(2) thereof, and stated that since the petitioner was already terminated, he is not entitled to retain the quarter beyond the permissible period of one month. It is further stated that the application made by the petitioner before the Joint Commissioner of Police on 02-01-2015 was rejected by Memo, dated 07-02-2015. The said Memo, however, is not received by the petitioner, when it was tried to be served.

Evidently, the petitioner's representation, dated 04-02-2015 is pending before the 2nd respondent for consideration and as such, appropriate decision has to be taken by the 2nd respondent with regard to continuation or otherwise of the petitioner.

Hence, the writ petition is disposed of directing the 2nd respondent to take appropriate action on the aforesaid representation of the petitioner and pass orders thereon within a week from the date of receipt of a copy of this order. Till passing of order by the 2nd respondent, the petitioner shall not be dispossessed from the quarter. No order as to costs.

The miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 20-02-2015

Prv

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