

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO.13426 of 2015

ORDER:

The Executive Director of the Andhra Pradesh State Housing Corporation through his communication dated 11-12-2012, addressed to the District Collector/Executive Director (Housing), Warangal, marking a copy thereof to the Project Director (Housing), Warangal, requested disciplinary proceedings to be initiated against Mandal Housing Officers for recovery of Rs.6,80,600/- due to the alleged misappropriation of the said amount. Even without conducting a regular departmental enquiry as per the Discipline and Control Regulations of the Corporation, steps are initiated to recover the said sum of Rs.6,80,600/- from the petitioner.

Against this communication dated 11-12-2012 of the 5th respondent, an Appeal has been preferred by the petitioner to the Managing Director of the 1st respondent-Corporation on 24-01-2013. It is stated that the said Appeal is still pending and it was not 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.12,477/- per month, 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 24-01-2013, as more than 2 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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