HON'BLE SRI JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT APPEAL No. 44 OF 2015

P.C: (per the Hon'ble Sri Justice Dilip B. Bhosale)

This writ appeal is preferred against the order dated 31-10-2013 passed in Writ Petition No.316 of 2003, whereby the writ petition filed by the respondent - employee was partly allowed reducing the penalty, from withholding of two annual increments with cumulative effect and disallowing the claim of LTC, to reducing it to withholding of one annual increment without cumulative effect and disallowing the LTC claim. The impugned action was taken on the basis of allegation that the respondent – employee had made false claim of LTC for a period of three days. The learned single Judge having regard to over all facts and circumstances of the case and for the reasons recorded in the order found it proper to reduce the penalty, as aforementioned, after confirming the guilt of the appellant as recorded by the enquiry officer. While doing so, it is observed in the order that for false LTC claim for a period of three days, withholding of two annual increments with cumulative effect was shockingly disproportionate.

We would not like to interfere with the order, apart from the fact that no ground for interfering with the same was either argued or made out by learned counsel for the appellants. Hence, writ appeal is dismissed.

Consequently, miscellaneous petitions, if any, also stand disposed of. No costs.

DILIP B. BHOSALE, J

A. RAMALINGESWARA RAO, J

05-02-2015
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