

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

-
WRIT APPEAL No. 399 OF 2004

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

This writ appeal is directed against the order dated 31-12-2003 allowing Writ Petition No.16181 of 1994 filed by the respondent – employee. The respondent was dismissed from service holding that all the charges levelled against him were proved. It is not in dispute that during pendency of this appeal, the respondent attained the age of superannuation in 2012. It is also not in dispute that all the dues (service benefits) were paid to him. The respondent is present in the Court. He admits that he received all the dues in 2012 itself. In this view of the matter, learned counsel for the parties have agreed for the following order and they have fairly stated that we need not record reasons for the same:

“The order of learned single Judge remanding the matter to consider and impose any appropriate punishment other than dismissal/removal of the respondent from the service of the company, by consent, is set aside and as a consequence thereof, the award of punishment stands confirmed. The respondent shall not have any claim whatsoever against the appellants. The appellants also shall not recover any amount paid or the loss suffered by them from the respondent – employee.”

Writ appeal is accordingly disposed of. Miscellaneous petitions, if any, also stand disposed of. There shall be no order as to costs.

DILIP B. BHOSALE, J

A. RAMALINGESWARA RAO, J

09-03-2015
ks