

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.11668 OF 2015

ORDER:

The petitioner herein who was working as a Senior Accounts Officer with the Southern Power Distribution Company of A.P. Limited has been dealt with as a measure of discipline by the Chairman and Managing Director, the competent disciplinary authority, who imposed the punishment of stoppage of two increments with cumulative effect for the proven misconduct.

An appeal would lie against this order to the Board under Regulation 18 of the A.P.S.E.B. employees discipline and appeal regulations, which are adopted by the 1st respondent – Corporation in the matter of regulating the affairs of the said Corporation vis-à-vis their employees.

Learned counsel for the petitioner made elaborate submissions for purpose of convincing this Court that the petitioner is not liable to be penalized in the manner in which the disciplinary authority has penalized him.

All factual controversies must be raised before the appellate authority, so that the same will be appreciated and then an appropriate finding of fact would be recorded by such an authority, thereafter, perhaps, a judicial review exercise can be indulged in.

Since the impugned order is an appealable one and effective alternative remedy is available to the petitioner, preserving liberty to avail such an alternative remedy, the writ petition is disposed of after hearing the learned standing counsel Smt.J.Koteswaridevi for the 1st respondent. No order as to costs.

This order is not a reflection upon the merits or for that matter lack of it in the claim of the petitioner.

All the miscellaneous petitions pending in this writ petition shall stand closed.

JUSTICE NOOTY RAMAMOHANA RAO

22.04.2015

Ksp