



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2016

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANAWrit Petition (MD) No.1966 of 2016

C.Robert Vincent

... Petitioner

Vs.

The General Manager,
The Oriental Insurance Co., Ltd.,
Head Office,
Asaf Ali Road,
New Delhi.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to dispose of the petitioner's appeal dated 02.12.2013 within a time stipulated by this Court.

For Petitioner

: Mr.F.Deepak

For Respondent

: Mr.C.Jawahar Ravindran,

ORDER

The petitioner has come up with the above writ petition seeking for the issue of a writ of mandamus to direct the respondent to dispose of the petitioner's appeal dated 02.12.2013.

2.Heard the learned counsel for the petitioner. Mr.C.Jawahar Rajendran, learned counsel takes notice for the respondent.

3.The petitioner was working as Assistant Divisional Manager in the respondent insurance company. There was a misappropriation of Rs.9 lakhs in the Nagercoil branch which led to an FIR being registered and the case was transferred for enquiry with the CBI. The CBI also filed its charge sheet wherein the petitioner was arrayed as A-3. In the meantime, the departmental proceedings was initiated against the petitioner and the petitioner's services were terminated by an order dated 20.09.2013. Aggrieved by the same, an appeal has been preferred on 02.12.2013 which is still pending.

<https://hcservices.ecourts.gov.in/hcservices/>

4.In the meanwhile, after enquiry, the CBI Court acquitted the petitioner on the ground that the prosecution has failed to prove



its case beyond reasonable doubt against the petitioner. According to the petitioner, he has also enclosed the order of acquittal along with the appeal filed by him. In the meantime, the petitioner has also retired from service on 31.01.2015. It is further submitted that in view of the disciplinary proceedings pending, the petitioner is unable to get his retiral benefits. Hence, the petitioner has come up with the above writ petition.

5. In the light of the above facts, without going into the merits of the case, the respondent is directed to dispose of the appeal dated 02.12.2013 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

The General Manager,
The Oriental Insurance Co., Ltd.,
Head Office,
Asaf Ali Road,
New Delhi.

+1cc to Mr.F.Deepak, Advocate Sr.No.9026
+1cc to Mr.C.Jawahar Ravindran, Advocate Sr.No.8838

akm/23.02.2016/2p-4c/NGM/SS

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