

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.579 of 2010

ORDER:

Heard the learned counsel for petitioner and the learned Standing Counsel for respondent.

2. The petitioner was appointed as a Driver in the respondent Corporation on 31.01.1996 and his services were regularized with effect from 01.08.1997. While so, on a complaint made on 30.04.2010 by one V.Rambabu, a preliminary enquiry was conducted and a report was submitted on 06.05.2001. The report dated 06.05.2001 showed *prima facie* case against the petitioner and the petitioner was suspended from service, by proceedings dated 08.05.2001. A charge sheet dated 08.05.2001 was served on the petitioner and the petitioner submitted his explanation on 22.05.2001. An Enquiry Officer was appointed, who submitted his report on 27.08.2001, holding that the charge against the petitioner was proved. The petitioner submitted his explanation, and after receipt of the same, an order was passed on 01.02.2003 reducing the basic pay of the petitioner by two incremental stages for a period of two years with cumulative effect besides treating his suspension period as not on duty. Challenging the same, the present writ petition is filed.

3. Though the learned counsel for the petitioner canvassed against the impugned order based on the Enquiry Report, in view of availability of alternative remedy of appeal and review, this Court is not inclined to examine the same in the present writ petition.

4. Hence, the writ petition is dismissed. However, the petitioner is given liberty to file an appeal before the competent authority within a period of thirty days from the date of receipt of a copy of this order and the competent authority shall consider and dispose of the same in accordance with law within a period of three months thereafter. No order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 30.03.2016

TJMR