

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.8712 OF 2016

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ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue a writ of Mandamus, or any other appropriate writ, order or direction, declaring the action of the 2nd respondent in not taking any action for revoking the suspension order Ref.No.SZ.II/ER/128, dated:15.06.2015 under rule-13(5) (b) of Industrial Development Bank of India Ltd., Officers (Discipline & Appeal) Rules (ODAR), 2006, on the petitioner’s representations dated 29.09.2015 & 19.12.2015 as illegal, arbitrary and further direct the 2nd respondent to consider the representations dated 29.09.2015 & 19.12.2015 made by the petitioner requesting for revocation of suspension and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

2. Heard Sri C.Raghu, learned counsel, appearing for the petitioner.

3. The General Manager & Competent Authority of IDBI – 2nd respondent herein placed the petitioner under suspension by way of order dated 15.06.2015.

4. It is submitted by the learned counsel for the petitioner that on 29.09.2015, petitioner herein submitted a representation to the 2nd respondent requesting for revocation of the said suspension order. It is further submitted that as per Rule 13 of the Industrial Development Bank of India Limited Officers’ (Discipline & Appeal) Rules (ODAR), 2006, an order of suspension deemed to have made under the Rules shall continue to remain in force until the same is modified or revoked

by the competent authority. It is further submitted by the learned counsel for the petitioner that necessary directions may be issued to the 2nd respondent to pass appropriate orders on the representation dated 29.09.2015, said to have been submitted by the petitioner herein, as per law, by fixing some timeframe.

5. In view of the above submission, Writ Petition is disposed of, without expressing any opinion on the merits and demerits of the matter and entitlement of the petitioner, directing the 2nd respondent herein to pass appropriate orders on the representation dated 29.09.2015, said to have been submitted by the petitioner herein, in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

17.03.2016
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