

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.32476 of 2016

ORDER

This writ petition is filed seeking to declare the action of the 3rd respondent in issuing the proceedings dated 8.6.2009 imposing punishment of reduction of pay by one incremental stage for a period of two years, as arbitrary and illegal.

The petitioner was appointed as Conductor in the respondent-Corporation in the year 1992 at Visakhapatnam Region. Thereafter, he was transferred to Guntur Region in the year 1998 on his request. He further made a request to transfer him to Nalgonda Region and accordingly he was transferred to the said region in the year 2011. When he was working with the 4th respondent, a charge sheet dated 5.12.2008 was issued alleging unauthorized absenteeism. Pursuant to the same, the petitioner submitted his explanation on 18.12.2008, but without considering the same, the 4th respondent appointed an enquiry officer, who in turn, submitted his enquiry report holding that the petitioner is guilty of the charges. Hence, show cause notice dated 12.1.2009 was issued and thereafter, the petitioner was removed from service *vide* proceedings dated 10.02.2009.

Challenging the same, he preferred an appeal before the 3rd respondent, who in turn, set aside the termination order passed by the 4th respondent, reinstated the petitioner into service, however, imposed punishment of reduction of pay by one incremental stage for a period of two years, which shall have its effect on his future increments, *vide* order 8.6.2009. Against the said order, the petitioner preferred a review petition before the 2nd respondent on 5.1.2010 and it is still pending. Hence, the present writ petition.

Since the present writ petition is filed challenging the inaction of the 2nd respondent in disposing of the review petition, the writ petition is disposed of directing the 2nd respondent to consider the review petition preferred by the petitioner, in accordance with law, and pass appropriate orders within a period of three months from the date of receipt of a copy of this order. No costs.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

23rd September, 2016
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