

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.32446 of 2016

ORDER

This writ petition is filed seeking to declare the action of the 2nd respondent in not disposing of the appeal filed by the petitioner against the order dated 5.12.2015 passed by the 3rd respondent, as arbitrary and illegal.

The petitioner was appointed as Messenger on 23.09.1997 and thereafter, he was promoted as Staff Assistant and Assistant Manager. While he was working as Assistant Manager at Devarakonda DCC Branch, there was allegation against the Assistant General Manager in disbursement of the loan and an enquiry was conducted in respect of the said allegation. Though the petitioner was not involved in the said allegation, a charge memo was issued to him on 21.12.2013, for which he submitted his explanation on 15.2.2014, denying the same. Without conducting any enquiry, show cause notice dated 26.08.2015 was issued to the petitioner and he submitted his detailed explanation on 9.9.2015. Without considering the same, the 3rd respondent passed the removal order dated 5.12.2015. Challenging the same, the petitioner preferred an

appeal before the 2nd respondent on 14.12.2015. The 2nd respondent has not disposed of the said appeal so far. Hence, the present writ petition is filed.

Since the relief sought for in the present writ petition is disposal of the appeal pending before the 2nd respondent, this Court inclines to dispose of the writ petition at the admission stage. Hence, issuance of notice to the respondents is dispensed with.

Accordingly, the Writ Petition is disposed of directing the 2nd respondent to consider the appeal preferred by the petitioner on 14.12.2015 against the order dated 5.12.2015 passed by the 3rd respondent, if it is pending with him, 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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