

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

WRIT PETITION No.23446 OF 2006

ORDER: (*Per Hon'ble Sri Justice V. Ramasubramanian*)

The petitioner has come up with the above writ petition challenging the dismissal of his Original Application by the Andhra Pradesh Administrative Tribunal at Hyderabad (for short, 'the Tribunal').

Heard Mr. P. Amarender, learned counsel for the petitioner, and learned Government Pleader for Home (TS).

The petitioner was imposed with a penalty of stoppage of increment for two years with cumulative effect by an order dated 30.07.1992. He went on making representations and, eventually, got an order of dismissal of his statutory appeal from the 4th respondent, by order dated 30.05.2001. A revision was filed to the 3rd respondent and he dismissed the same on 31.07.2002. A mercy petition was later rejected on 04.07.2003. It is against the said order, the petitioner filed the Original Application before the Tribunal.

The Tribunal dismissed the Application as barred by time. The grievance of the petitioner is that originally punishment was imposed without holding an enquiry and that the appeal was filed within the statutory time limit.

But, even as per the averments contained in the Original Application, filed by the petitioner, he filed the statutory appeal against the order of penalty, dated 30.07.1992, long after the expiry of eight years. Therefore, the rejection of his appeal as time barred could not be

interfered with by the Tribunal. Therefore, we find no merits in the writ petition. Hence, it is dismissed. No order as to costs.

As a sequel to dismissal of the writ petition, miscellaneous petitions, if any, pending in this writ petition, shall stand dismissed as infructuous.

V. RAMASUBRAMANIAN, J

G. SHYAM PRASAD, J

Date: 08-11-2016.
Dsh



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WRIT PETITION No.23446 OF 2006

(Order of the Division Bench delivered by
Hon'ble Sri Justice V. Ramasubramanian)

Date. 08-11-2016

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