

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.33473 of 2016

ORDER

This writ petition is filed seeking to declare the action of the respondents in not releasing annual grade increments pertaining to the year 2011 to 2013 in spite of closure of FIR by the ACB Court, Hyderabad, in Cr.No.7/ACB-CR2/2011, as arbitrary and illegal.

The petitioner joined duty as Lineman Trainee in Secunderabad Circle, which is presently North Division of Hyderabad. Later on, he was promoted as Sub-Engineer in the month of January, 1993 and further promoted as Assistant Engineer. Thereafter, he was promoted as Assistant Divisional Engineer in January, 2006. While working as Assistant Divisional Engineer Operations, Range Reddy South Circle, a case in Cr.No.7/ACB-CR-II/2011 was registered by the ACB officials and he was kept under suspension with effect from 1.4.2011 by the first respondent. However, he was reinstated *vide* order dated 12.6.2013. The ACB officials filed a report stating that the disproportionate assets are to the extent of Rs.8,50,052/- which is within the limits as per the Memo dated 15.10.2008 issued by the Government and recommended for departmental action. The ACB closed the FIR *vide* orders dated 8.6.2015. Pursuant to the departmental proceedings, an Enquiry Officer was appointed and two charges

were framed against the petitioner. Pursuant to the same, he submitted his written statement of defence on 27.6.2015. After conducting a detailed enquiry, the Enquiry Officer submitted his report stating that the charges were not proved. In those circumstances, the petitioner submitted a representation dated 18.2.2016 and 6.7.2016 for release of annual grade increments for the years 2011-2013 and for regularization of the period of suspension, but so far no orders have been passed. Hence, the present writ petition is filed.

Heard learned counsel appearing for the petitioner and learned Standing Counsel appearing for respondents 1 and 2.

Since the petitioner has already submitted representation with regard to his grievance, this Court is not inclined to entertain the writ petition, but disposes of the same by directing the respondents 1 and 2 to consider the representation of the petitioner and pass appropriate orders thereon in accordance with law, within a period of three months from the date of receipt of a copy of this order. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

29th September, 2016
rkk

