

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

–
WRIT PETITION No.29049 of 2016

ORDER:

The petitioner was appointed as Welder in the respondent Corporation in the year 1988. Thereafter, he was promoted as Leading Hand in the year 2013. It appears that a complaint was lodged by the Constable of the Corporation on 24.02.2016 against the petitioner alleging that the petitioner was holding 6 tube light chokes and tapes unauthorisedly. Based on the same a Police complaint was given to the concerned Police Station and a criminal case in FIR No.34 of 2016 was filed on 24.02.2016. The petitioner was placed under suspension on 01.03.2016 and was issued a charge sheet on the same day. The petitioner submitted his explanation on 05.03.2016 denying the charges. He also challenged the issuance of charge sheet before this Court in W.P.No.7372 of 2016. The said Writ Petition was disposed of on 08.03.2016 directing the respondents to conduct the enquiry and pass appropriate orders within two months. The enquiry was conducted and the Enquiry Officer submitted his report on 25.05.2016. A show cause notice was issued to the petitioner on 06.06.2016 for taking action on the basis of the enquiry report and the petitioner was given three days time to submit his explanation. But, even before receiving the said show cause notice by the petitioner, an order was passed on 10.06.2016 removing the petitioner from service. Against the said order, the petitioner preferred an appeal to the appellate authority – the second respondent, on 19.06.2016. When the said appeal is pending, the present Writ Petition is filed by raising several grounds.

In view of the pendency of the appeal, this Court is not inclined to go into the merits of the case, but this Court directs the second respondent to consider the appeal preferred by the petitioner and also afford an opportunity of hearing to the petitioner. After considering the appeal and personal hearing, the appeal shall be disposed of within a

period of eight weeks from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

29.08.2016

vs