

**HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO**

**W.P.Nos.25268, 25272 & 25305 of 2016**

**COMMON ORDER**

**W.P.No.25268 of 2016 is filed seeking to declare the action of the respondent-management directing the petitioner to vacate the staff quarter No.J, Block-G4, Asbestos Staff Quarters, Czech Colony, Sanathnagar, Hyderabad, through letters dated 19.6.2016 and 23.07.2016, as arbitrary and illegal.**

**W.P.No.25272 of 2016 is filed seeking to declare the action of the respondents in not paying the monthly salaries to the petitioner since May 2016 till the date of reinstatement including the performance bonus of Rs.21,245/- for the current year 2015-2016, as arbitrary and illegal.**

**W.P.No.25305 of 2016 is filed seeking to declare the action of the respondents in terminating the services of the petitioner without issuing notice, calling for explanation and conducting enquiry pursuant to the representation dated 25.6.2016, as arbitrary and illegal.**

**The case of the petitioner is that on 21.12.1987, he was appointed as Supervisor in the 4<sup>th</sup> respondent-company. He was promoted as Senior Supervisor in the year 1998. Thereafter, he was**

**promoted to the category of M-Grade in the year 2006. Since his performance improvement plan was not as per the requirement of the company, an E-mail was sent on 21.4.2016 terminating his services. The petitioner states that before issuing the said E-mail message, no show cause notice was issued. However, he submitted a representation dated 25.06.2016 seeking his reinstatement with all consequential benefits. He also states that he is entitled to the salary of Rs.27,225/- per month from May, 2016 till reinstatement and claimed performance bonus for the year 2015-2016 to the tune of Rs.31,245/- . In the meanwhile, the petitioner was asked to vacate the quarter provided by the company on or before 1.8.2016 *vide* letters dated 10.6.2016 and 23.07.2016. At that stage, he filed all these three writ petitions.**

**Learned counsel appearing for the petitioner submits that challenging the order of termination, the petitioner approached respondents 2 and 3 and the matter is pending before them. He further submits that in spite of the assurance of payment of salary till 20.7.2016 even though his services were terminated with effect from 21.4.2016, the same is not being paid.**

**In view of nature of the cases, this Court dispensed with the service of notice to the respondents.**

**All the writ petitions are taken up for disposal at**

**the admission stage.**

**Heard learned counsel appearing for the petitioner and learned Government Pleader appearing for the respondents.**

**Having regard to the facts and circumstances of the case, respondents 2 and 3 are directed to consider the representation made by the petitioner on 25.6.2016, in accordance with law, within a period of three months from the date of receipt of a copy of this order. It is needless to observe that the petitioner shall co-operate in the enquiry to be conducted by respondents 2 and 3. In view of the assurance given by respondents 4 and 5 in their letter of termination dated 21.4.2016, the respondents shall pay the salary, as promised, to the petitioner till 20.07.2016. However, with regard to the entitlement of the petitioner for performance bonus claimed by him, it is a matter to be decided by the appropriate authority and not by this Court.**

**It is in the fitness of the things that the petitioner shall be allowed to continue in the quarter in his occupation till the disposal of the representation by respondents 2 and 3 or within three months from today, whichever is earlier. The petitioner shall continue to pay the rent payable to the company in accordance with the rules existing as on the date of occupation.**

**Subject to the above observations, all the three writ petitions are disposed of. No costs.**

**Miscellaneous petitions, if any, pending shall stand closed.**

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**JUSTICE A.RAMALINGESWARA RAO**

***1<sup>st</sup> August, 2016***  
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