

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.NO.6318 OF 2016

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ORDER:

This writ petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue Writ or Order more particularly one in the nature of writ of MANDAMUS by declaring the action of the 1st respondent in discharging the petitioner from service through proceedings vide Letter No.2015/Sec.(ABE)TRG/2/5, dated 14.8.2015 on the ground that the petitioner suppressed the information in the attestation form of involvement of Criminal Case, though the same was ended in acquittal and in not disposing the appeal dated 24.8.2015 of the petitioner submitted to the 2nd respondent, as illegal, arbitrary and consequently hold that the petitioner is entitled for reinstatement into service with all benefits”

Heard Sri Vadapalli Ramesh, learned counsel for the petitioner and Smt.Pushpender Kaur, learned Standing Counsel for Respondents.

Obviously, the grievance of the petitioner in the present writ petition is non-disposal of the appeal said to have been filed by the petitioner on 24-08-2015 before the

2nd Respondent against the order passed by the 1st Respondent bearing No.2015/Sec.(ABE)/TRG/2/5, dated 14.8.2015.

By virtue of the order impugned in the present Writ Petition, the 1st Respondent discharged the petitioner from the service. It is submitted by the learned Standing Counsel that the conduct of the petitioner is contrary to the conditions in the attestation form, as such, the 1st Respondent is perfectly justified in discharging the

petitioner from the service. However, the fact remains that the appeal preferred by the petitioner against the order of the 1st Respondent is still pending consideration before the 2nd Respondent.

Having regard to the nature of controversy, this Court deems it appropriate to dispose of the present Writ Petition by directing the 2nd Respondent to pass appropriate orders on the appeal preferred by the petitioner by fixing some time frame.

For the aforesaid reasons, the Writ Petition is disposed of directing the 2nd Respondent – Director General to pass appropriate orders on the appeal dated 24-08-2015 filed by the petitioner against the proceedings bearing No.2015/Sec.(ABE)/ TRG/2/5, dated 14.8.2015 within a period of four weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

Pending miscellaneous petitions in this writ petition, if any, shall stand dismissed in consequence.

A.V.SESHA SAI, J

26.02.2016
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