

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 24249 of 2017

Order:

The petitioner was working as a Clerk/Staff Assistant in the fourth respondent Society. There are separate service rules applicable to the employees of the fourth respondent Society. In respect of major punishment, Chapter-V of the Service Regulations is applicable. In the instant case, a resolution was alleged to have been passed on 12.05.2017 and served on the petitioner on 19.05.2017 removing the petitioner from service. Challenging the removal from service without conducting any enquiry, the present Writ Petition is filed.

A counter affidavit is filed by the respondents 4 and 5 stating that the petitioner preferred an appeal before the managing committee members on 23.05.2017 and also to the District Level Committee as contemplated under the service byelaws on the very same day. A notice was issued on 24.07.2017 directing the petitioner to appear before the District Level Committee on 10.08.2017. The petitioner without attending before the District Level Committee, he filed the present Writ Petition.

Since a regular appeal, as provided in the byelaws of the Society, is pending before the District Level Committee, this Court is not inclined to entertain the present Writ Petition, but directs the District Level Committee of the fourth respondent Society to consider the appeal already preferred by the petitioner on 23.05.2017 and pass appropriate orders in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order. It is needless to observe that the petitioner shall cooperate for disposal of the appeal.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

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A. RAMALINGESWARA RAO, J

Date: 22.11.2017

Note:

Office to communicate copy of this order to the District Level Committee headed by the second respondent.

(B/O)

Nsr

