

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.38337 of 2017

Order:

This Writ Petition is filed by the CRPF Constable having Force No.931160597 challenging the order of the fourth respondent dated 16.05.2017 proposing to take action pursuant to the recommendation and opinion of Court of Inquiry against the petitioner. The petitioner states that the recovery from his salary is sought to be effected when a regular departmental appeal is pending before the third respondent. He states that he filed the said appeal on 16.06.2017.

When a regular departmental appeal is pending before the third respondent, it is not proper for the fourth respondent to recover the amount.

In the circumstances, the Writ petition is disposed of directing the third respondent to dispose of the appeal preferred by the petitioner on 16.06.2017, against the order dated 16.05.2017 passed by the fourth respondent, within a period of two months from the date of receipt of a copy of this order. Till the order is passed by the third respondent, the fourth respondent is restrained from effecting any recoveries pursuant to the order dated 16.05.2017. 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.

A. RAMALINGESWARA RAO, J

Date: 15.11.2017
Nsr