

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.15655 of 2002

ORDER:

This writ petition is filed seeking to issue a writ of mandamus, declaring the action of the 3rd respondent in issuing the proceedings, dated 02.12.1999, as arbitrary and illegal, and set aside the same, and sought a consequential direction to the respondents to release all the consequential benefits including arrears to the petitioner.

Heard Sri P.Govinda Rajulu, learned counsel for the petitioner and Sri B.Mayur Reddy, learned standing counsel for the respondent Corporation.

It has been contended by the petitioner that he was appointed as a driver and while he was discharging his duties as a driver, the respondents issued a charge sheet, dated 24.05.1999. The petitioner has submitted his explanation to the charge sheet denying the charges. The respondent-management after conducting enquiry was pleased to impose a punishment of reduction in basic pay by two incremental stages for a period of two years, which shall have effect on future increments, vide proceedings, dated 02.12.1999. Aggrieved by the same, the petitioner has preferred an appeal to the 2nd respondent-appellate authority on 28.01.2000, but the appellate authority has not passed any orders thereon and the same is pending.

The learned standing counsel for the respondents has contended that the disciplinary authority has rightly imposed punishment of reduction of two incremental stages in his basic pay for a period of two years for his

proved misconduct against the petitioner, which does not call for any interference.

This court, having considered the rival submissions made by the parties, is of the considered view that this writ petition can be disposed of, since the appeal preferred by the petitioner is still pending before the appellate authority. Therefore, the writ petition is disposed of, directing the 2nd respondent-appellate authority to dispose of the appeal, preferred by the petitioner on 28.01.2000, in accordance with law, within a period of 4 (four) weeks, from the date of receipt of a copy of this order, and communicate the same to the petitioner.

With these observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.

Date: 16.08.2018
Dsr

ABHINAND KUMAR SHAVILI, J

