

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 18991 of 2003

ORDER:

This writ petition is filed seeking to issue a Writ of Certiorari calling for the records from the 2nd respondent pertaining to the order dated 30.10.2002, where under punishment of stoppage of increments for a period of one year, which will have no effect of future increment was imposed and the period from the date of suspension till the date of reporting for duty at the depot posted shall be treated as not on duty for the purpose of leaves, wages and increment and to quash the same by holding it as illegal.

When the matter is taken up for hearing, it is noticed that the petitioner has attained the age of superannuation and the petitioner is challenging the orders passed by the Reviewing Authority wherein the punishment of removal was modified to withholding of annual increment for a period of one year which shall not have effect on its future increments. Challenging the same, the present Writ Petition is filed.

This court having considered the said submission, is of the considered view that the punishment of withholding of one increment for a period of one year had worked out on its own with the expiry of one year and the currency of punishment is over and the petitioner will get back the increment which was already stopped on expiry of currency of punishment since the currency of punishment is over when the petitioner was in service and the

petitioner got the increment which was already withheld and the cause in the Writ Petition as on today would not survive in view of the fact that the punishment would not effect the service benefits of the petitioner.

In view of the same, there are no merits. The Writ Petition is accordingly dismissed. Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No order as to costs.

26th December, 2018
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ABHINAND KUMAR SHAVILI, J



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