

THE HONOURABLE SRI JUSTICE SURESH KUMAR KAIT
AND
THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.5798 of 2018

ORDER: (Per the Hon'ble Sri Justice Suresh Kumar Kait)

Vide the present writ petition, the petitioner has challenged the order dated 06.09.2017 passed in O.A.No.3750 of 2016 by the Andhra Pradesh Administrative Tribunal, Hyderabad.

2. In paragraph Nos.11 and 14 of the counter-affidavit filed by the respondents, it is stated as under:

“11.In view of the above the applicant Sri P. Naga Srinivasu, GRII Telugu Pandit, MPUPS Vempadu of D.Tirumala Mandal, is informed that the period of suspension from 19.12.2012 to 21.04.2014 is not feasible to treat as on duty on the principle of ‘no work’ ‘no pay’ as per the Honourable Supreme Court of India judgment and orders of the Government of A.P., the period of suspension is hereby regularized as leave for which he is eligible. Even as per FR 54 B-7, the period has to be converted as leave of any kind due and admissible.

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14. In view of the above, it is submitted that the District Educational Officer, West Godavari Eluru, in Proceedings Rc.No.9851/C7/2012 dated 11.06.2018 has imposed minor punishment, namely, withholding of one increment without cumulative effect and it is also submit that a detailed report was submitted to the Commissioner of School Education, A.P.Amaravathi in Proceedings Rc.No.9851/C7/2012 dated 11.06.2018 for sanction of eligible leave to Sri P. Naga Srinivasu, GRII Telugu Pandit MPUP School, Vempadu of D. Tirumala Mandal and presently working at ZP High School, Veeravasaram Mandal, West Godavari District.

3. Learned counsel for the petitioner submits that as the period of suspension of petitioner is treated as leave, there is no grievance left with the respondents.

4. In view of paragraph Nos.11 and 14 of the counter-affidavit, we hereby direct the respondents to pass order treating the period of suspension of petitioner as leave in accordance with Rule 54(B) of Fundamental Rules.

5. With the above direction, the writ petition is disposed of. No order as to costs. As a sequel, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

SURESH KUMAR KAIT, J

ABHINAND KUMAR SHAVILI, J

11th July, 2018

sj

