

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.21394 of 2005

ORDER:

1. This writ petition is filed seeking to issue a writ of Mandamus declaring the memo dated 26.8.2005 issued by the 2nd respondent as illegal, arbitrary and contrary to AAI (ECDA) Regulations, 2003, and to set aside the same.

2. Heard Sri D. Ramakrishna, learned Counsel for the petitioner and Sri P. Vikram, learned Standing Counsel for the respondents.

3. The petitioner was employed with the respondents and he challenged the memo dated 26.8.2005, whereunder he was required to intimate to the respondents with supporting documents whether he has honourably acquitted from the punishment awarded by X Metropolitan Magistrate, Secunderabad in his judgment delivered on 8.10.2001 in Criminal case No.776/1999. The petitioner instead of submitting his explanation challenged the said memo by filing this writ petition. On 30.9.2005, while admitting the writ petition, this Court granted interim stay.

4. When this matter is taken up for hearing, the learned Counsel for the petitioner submits that the petitioner would

submit his explanation to the said memo provided the petitioner is given some time to submit his explanation.

5. The learned Standing Counsel for the respondents contended that no action was proposed in the memo impugned in this writ petition and that the petitioner was only asked to furnish information about the status of the criminal case, whether he was honourably acquitted or not, and that the petitioner challenged the notice in this writ petition and therefore, the writ petition is not maintainable and the same is liable to be dismissed.

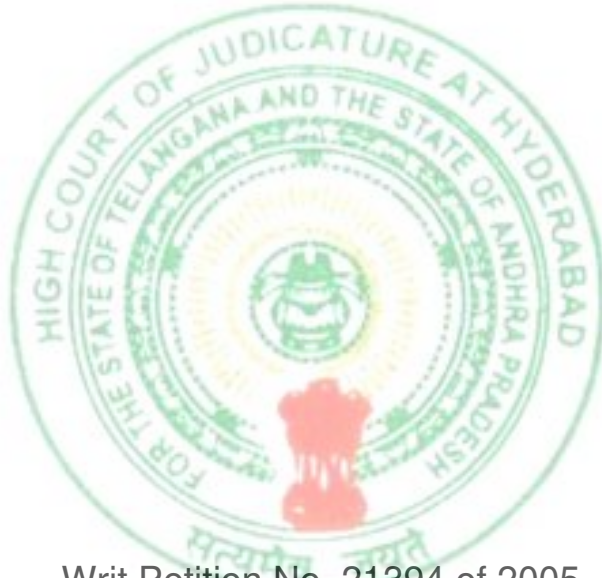
6. This Court having considered the rival submissions made by the parties is of the view that this writ petition can be disposed of directing the petitioner to submit explanation to the memo dated 26.8.2005.

7. Accordingly, the Writ Petition is disposed of directing the petitioner to submit explanation to the memo dated 26.8.2005, within a period of two weeks from the date of receipt of a copy of this order. On such explanation being submitted, the respondents shall consider the same and pass appropriate orders, in accordance with law. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Dated: 30th November, 2018
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HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI



Writ Petition No. 21394 of 2005

30th November, 2018

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