

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION No.34634 OF 2014

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

The State of Telangana and its authorities in the Police Department filed this writ petition aggrieved by the order dated 23.01.2013 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.3875 of 2010.

The aforestated O.A. was filed by the first respondent herein in relation to the punishment suffered by him in departmental proceedings. Initially, the Superintendent of Police, Medak District, passed order dated 16.06.2007 removing him from service and treating the period of his absence from 27.06.2004 to 02.10.2006 as 'leave without pay'. The said order was confirmed in appeal by the Deputy Inspector General of Police, Nizamabad Range, by order dated 16.09.2007. Thereafter, the Inspector General of Police, Hyderabad Region, in exercise of revisionary powers, modified the punishment of removal from service to that of compulsory retirement from service, *vide* order dated 13.12.2007. The mercy petition filed by the first respondent/applicant before the Government was dismissed *vide* Memo dated 12.05.2010. All these proceedings were subjected to challenge in the O.A. By the order dated 23.01.2013, the Tribunal allowed the O.A., setting aside the modified punishment of compulsory retirement from service imposed upon the first respondent/applicant and remitted the matter to the then Government of Andhra Pradesh for imposition of a lesser punishment. Necessary orders were directed to be passed within a time frame. Aggrieved by these directions, the State of Telangana, the successor-in-interest of the

erstwhile Government of Andhra Pradesh in so far as this case is concerned, along with its police officials, filed this writ petition.

Interim suspension of the order under challenge was granted by this Court on 26.11.2014. W.V.M.P.No.72 of 2015 was filed by the first respondent/applicant to vacate the said order.

Learned Government Pleader for Services, State of Telangana, would now inform this Court that the Superintendent of Police, Sangareddy District, addressed letter dated 21.03.2018 to his office informing him that despite the interim suspension granted by this Court, the order under challenge was acted upon and the Government issued G.O.Ms.No.13, Home (Services.II) Department, dated 21.02.2015, modifying the punishment imposed upon the first respondent/applicant to that of withholding of his annual grade increments for four years with cumulative effect. Learned Government Pleader would state that he is instructed by the Superintendent of Police to withdraw this writ petition as it has become redundant.

Sri Mahadeva Kanthrigala, learned counsel for the first respondent/applicant, would inform this Court that his client expired on 15.05.2016 and that his legal representatives may be given leave and liberty to challenge the modified punishment in accordance with law before the appropriate forum, if aggrieved.

As the writ petition has become redundant even by the reckoning of the petitioners themselves, the same is dismissed leaving it open to the legal representatives of the first respondent/applicant to take suitable measures in accordance with law before the appropriate forum, if they are aggrieved by the subsequent development in the form of G.O.Ms.No.13 dated 21.02.2015.

Interim order dated 26.11.2014 shall stand vacated. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR,J

M. GANGA RAO, J

Date: 25.04.2018
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