

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 30151 of 2010

ORDER:

1) The present writ petition came to be filed with the following prayer:

“issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Certiorari and call for the records relating to and connected with the proceedings No.594/ WCFC/ A1/ 2006, dated 15.11.2010 and quash or *set aside* the same as being illegal, arbitrary and unconstitutional and pass such other order or orders.”

2) At the time when the matter is taken up for hearing, it is brought to the notice of the Court that the issue involved in the present writ petition is covered by the orders passed by this Court in W.P.No.34361 of 2010, dated 16.09.2015.

3) There is no representation on behalf of the respondent.

4) It is brought to the notice of the Court that the petitioner herein was dismissed from service on 15.11.2010 vide Proceedings No.594/ WCFC/ A1/ 2006. Thereafter, an appeal came to be filed before the appellate authority and the same is pending consideration. It is stated that in similar cases, where the officers, who were facing similar charges were terminated, this Court disposed of the writ petition, without expressing any opinion on merits, directing the appellate authority to consider

the appeal preferred by the petitioner therein, taking note of the orders passed in favour of co-delinquent in proceedings NO.4053/ WP.A3/ 2013, dated 15.05.2014. The petitioner therein was also permitted to raise additional grounds in support of the appeal filed.

5) Since the case on hand is identical to one referred to above, the present writ petition is disposed of in terms of the order passed in W.P.No.9029 of 2011, directing the appellate authority to dispose of the appeal filed by the petitioner duly taking note of the order passed in favour of Smt. V.Mangaseshamamba, co-delinquent, dated 15.05.2014. It is open to the petitioner to raise additional grounds in support of the appeal filed by him. In case, the petitioner intends to raise additional grounds, he shall submit the same in writing within a period of two weeks from today. If no such additional grounds are filed by the petitioner, the appellate authority shall consider the appeal and pass orders within six weeks from the date of receipt of a copy of this order.

6) The Registry is directed to send a copy of the order forth with to the concerned.

7) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

29.03.2018
gkv

