

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.26869 OF 2003

ORDER

This writ petition is filed for the following relief:

“...to issue an order, direction or a Writ more particularly one in the nature of Writ of Certiorari calling for records relating to the proceedings of the IInd and IIIrd respondents No.K9/1(9)2002-BBW, dated 24-09-2002, No.ST/20(1)/03-BBW, dated 29-04-2003 respectively and same may be set aside by declaring as arbitrary, illegal, unjust and unconstitutional and against the principles of natural justice and consequently direct respondent to place the petitioner in the same post i.e., Leading Head which he was doing as on the date of suspension i.e., 22-05-2003 with all consequential benefits.”

Learned counsel appearing for the petitioner submits that the order passed by the appellate authority is shockingly disproportionate to the charges levelled against the petitioner. He further submits that the petitioner had retired from service on attaining the age of superannuation.

A perusal of the impugned order would disclose that the appellate authority has already taken a lenient view and modified the punishment of removal to that of reversion for a period of two years duly fixing his pay at an appropriate stage in substantive post having effect on his future increments. When the appellate authority has taken a lenient view and

modified the punishment, no further leniency can be shown to the petitioner.

Accordingly, the Writ Petition is dismissed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

17th September, 2018
rkk

