

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 26714 of 2005

ORDER:

This writ petition is filed by the petitioner seeking to issue a writ of mandamus declaring the action of the 2nd respondent in awarding punishment for stoppage of next three annual grade increments with cumulative effect by proceedings dated 08.11.2002 and the consequential proceedings dated 18.09.2003 in denying promotion to the post of Senior Assistant, as illegal and arbitrary. A consequential direction is also sought to promote the petitioner to the post of Senior Assistant.

Heard Sri L.V.S. Naga Raju, learned counsel for the petitioner, and Sri M. Ravindranadh Reddy, learned standing counsel for the 2nd respondent corporation.

It has been contended by the petitioner that he was appointed as Typist in the year 1985 in the 2nd respondent corporation. While he was discharging his duties, it is alleged that he had misappropriated a sum of Rs.45,744/- and accordingly a charge sheet was issued against him and after conducting a detailed enquiry, the 2nd respondent imposed a punishment of stoppage of three annual grade increments with cumulative effect. The grievance of the petitioner is that because of the imposition of punishment on him, the 2nd respondent is not considering his case for promotion to the post of Senior Assistant. In those set of circumstances, he filed the present writ petition.

It has also been submitted by the learned counsel for the petitioner that the petitioner had repaid the amount which is alleged to have been misappropriated by him.

The above submission of the learned counsel for the petitioner itself demonstrates that the petitioner had misappropriated the amount of the 2nd respondent. Withholding the amount of the 2nd respondent even for a short period amounts to temporary misappropriation. In view of the same, this Court cannot come to the rescue of the petitioner. There are no merits in the writ petition.

Accordingly, the writ petition is dismissed. Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

23rd August, 2018

cbs

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI



Writ Petition No. 26714 of 2005
(dismissed)

23rd August, 2018

cbs