

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.9515 OF 2018

ORDER:

The case of the petitioner is that the petitioner while working as Junior Assistant in the 3rd respondent-temple, was dismissed by the 3rd respondent vide Rc.No.A2/204/2010, dated 08.03.2010, on the allegation that he was selling fake tickets in the counter. A police complaint was also lodged by the respondents against the petitioner and the same was registered as Cr.No.64 of 2010 and later the same is numbered as CC.No.55/2012. After contest, petitioner was acquitted by Judgment dated 20.04.2017. As such, the petitioner submitted representation dated 26.07.2017 to the 3rd respondent to revoke the suspension order dated 08.03.2010 and to regularize his services with back wages, as he was acquitted from the criminal case. As no orders are passed in the said representation, present writ petition is filed.

Learned counsel for the petitioner submits that as per Rule 8(2)(c) of the C.C.A.Rules, the order of suspension ceases to be operative as soon as the criminal proceedings, on the basis of which the Government servant was arrested and released on bail, are terminated. But, the respondent authorities have not passed any orders on the representation of the petitioner.

On the other hand learned Assistant Government Pleader for Endowments submits that against acquittal of petitioner, criminal

appeal was filed vide CrI.A.No.74/2018 which is pending and he seeks time for filing counter.

It is to be seen that the representation filed by the petitioner seeking revocation of his suspension, is pending before the 3rd respondent, as such, it is for the 3rd respondent to consider the case of the petitioner.

Having regard to the aforesaid facts and circumstances, without expressing any opinion on merits, the writ petition is disposed of directing the 3rd respondent to dispose of the representation of the petitioner, in accordance with law, within a period of two months from the date of receipt of a copy of this order.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

23.03.2018
t k.

A.RAJASHEKER REDDY, J