

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.12521 OF 2015

ORDER

This writ petition is filed seeking the following relief:

“... to issue an appropriate writ or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not giving posting orders to discharge the petitioner's duty in pursuance of proceedings No.01/475(2)/2013-VKB, dated 27.11.2013 as illegal, unjust and in violation of Articles 14, 16 and 21 of the Constitution of India and consequently the petitioner pray this Hon'ble Court may be pleased to direct the respondents to issue him the posting orders to discharge his duties by extending all consequential benefits including wages payable from 28.11.2013 in the interest of justice and fair play.”

Heard Sri V.Narasimha Goud, learned counsel appearing for the petitioner, and Sri N.Vasudeva Reddy, learned Standing Counsel appearing for the respondent-Corporation.

It is the case of the petitioner that he was appointed as a Conductor in the respondent-Corporation in the month of September, 2008, and discharging his duties as such. While so, charge sheet dated 06.11.2013 was issued to him alleging misconduct, for which, he submitted his explanation. Thereafter, the respondent-Corporation has revoked the suspension order *vide* order dated 27.11.2013. But, so far, no posting orders are issued to him.

Learned counsel appearing for the petitioner submits that though the suspension order was revoked, no posting orders are issued to the petitioner; that appropriate orders be passed directing the respondent-Corporation to issue posting orders and that the petitioner is willing to discharge his duties.

Learned Standing Counsel appearing for the respondent-Corporation contends that after revocation of the suspension orders, the petitioner has not approached the Corporation and his whereabouts are not known, and therefore, no posting orders are issued to him.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition is disposed of directing the petitioner to approach the respondent-Corporation within one week from the date of receipt of a copy of this order and thereupon, the respondent-Corporation shall consider the case of the petitioner and give posting orders to him within a period of four weeks thereafter. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

27th November, 2018
rkk

