

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.15836 OF 2018

ORDER

As per the averments made in the writ affidavit, petitioner was working as Manager (Operations), in the respondent – company. In view of the conviction of the petitioner in C.C.No.46/2010 on the file of Principal Special Judge for CBI Cases, Visakhapatnam dated 17.11.2017 under Section 13(e) of Prevention of Corruption Act, 1988, the disciplinary authority, under the impugned proceedings dated 21.03.2018, dismissed the petitioner from the services of the respondent company, by invoking the provisions under Rule 31(i) read with Rule 24(g) of the CDA Rules of Rashtriya Ispat Nigam Limited, Visakhapatnam Steel Plant. Challenging the said proceedings, present writ petition is filed.

Learned Standing Counsel Sri K.Sarwabhowma Rao, appearing for the respondent – company submits that against the impugned proceedings dated 21.03.2018, petitioner has immediately preferred appeal to the appellate authority and the said authority is required to dispose of the appeal within a period of ninety days from the date of filing of the appeal. Having availed the appellate remedy and without waiting for the statutory period of ninety days, again approaching this court by way of writ petition, cannot be sustained.

Learned counsel for the petitioner did not dispute the above submission of the learned Standing Counsel for the respondent.

Since the petitioner has already availed the appellate remedy and it is stated that about one month period has already been elapsed, without expressing any opinion on merits, writ petition is disposed of directing the appellate authority to dispose of the appeal in accordance with law, within a period of two months from the date of receipt of a copy of this order.

With the above direction, writ petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

A.RAJASHEKER REDDY,J

DATE:30—04—2018

AVS

