

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

CIVIL REVISION PETITION No.3254 of 2018

ORDER : (Oral)

It is stated by the counsel for respondent No.1 that the suspension of the petitioner has been extended by order dated 3rd February 2018 and thereafter by order dated 28th February 2018 till further orders. Counsel for the petitioner has raised an objection that respondent No.1 cannot remain in the post as he attained the age of 62 years. Therefore, the order passed by respondent No.1 is illegal and without jurisdiction.

2. Counsel for respondent No.2 submitted that respondent No.1 is not the competent authority to put the petitioner under suspension, however, respondent No.2 is the competent authority, but the suspension order has not been passed by respondent No.2.

3. After hearing the learned counsel for the parties, I hereby dispose of the present revision petition, directing the trial Court to dispose of I.A.No.523 of 2018 in S.O.P.No.478 of 2018, wherein, admittedly, counter affidavits have been filed, within four weeks from the receipt of this order, by giving opportunity of hearing to both the parties.

4. In view of above, the learned trial Court shall, while passing orders in I.A.No.523 of 2018, look into the above aspects and pass reasoned order in the said application.

5. Revision petition is accordingly disposed of. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

SURESH KUMAR KAIT, J

10th August 2018

ajr

