

HON'BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.A. No. 836 of 2018

JUDGMENT:- (ORAL)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

This writ appeal is preferred against the order dated 11.06.2018 in W.P.No. 18831 of 2018 passed by learned Single Judge of this Court.

The learned Single Judge, while disposing the writ petition, made the following observations:

“Having regard to the parameters set out by the Hon'ble Supreme Court in the four decisions referred to above, in the facts of this case, Court is not inclined to grant relief of consideration straightway. However, having regard to the fact that charge Memo is dated 10.03.2016, which is more than two years, it is deemed fit to direct the disciplinary authority to finalize the disciplinary proceedings as expeditiously as possible, preferably, within a period of four months from the date of receipt of a copy of this order. For any reason, disciplinary proceedings cannot be concluded, not attributable to the petitioner, his case may be considered for promotion in accordance with the policy guidelines referred to above.”

The learned Government Pleader for Municipal Administration and Urban Development appearing on behalf of the respondents, has submitted that G.O.Ms.No. 257, dated 10.06.1999 is applicable to all types of cases including the case of the appellant.

In view of the aforesaid submission of the learned Government Pleader, we hereby set aside the order dated

11.06.2018 in W.P.No. 18831 of 2018 passed by learned Single Judge of this Court. Consequently, the respondents are directed to consider the case of the appellant in terms of G.O.Ms.No. 257, dated 10.06.1999.

With the above direction, the writ appeal is disposed of.
No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

21.06.2018

SURESH KUMAR KAIT, J

bcj

ABHINAND KUMAR SHAVILI, J

