

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.12433 OF 2015

ORDER:

1. This writ petition is filed seeking to issue a writ of Mandamus declaring the action of the 4th respondent in not reinstating the petitioner into service as Technical Assistant consequent upon the orders of the 2nd respondent dated 29.1.2014 and in denying the remuneration from the date of termination of services i.e., 25.10.2013 and also salary for the working period i.e., June and July, 2014, as illegal and arbitrary, and consequently, to hold that the petitioner is entitled to be reinstated into service as Technical Assistant with all consequential benefits including arrears of pay for the working period and for the period of out of employment.

2. When this matter has been taken up for hearing, it was informed by Sri M.S.R. Chandra Murthy, learned Standing Counsel that the disciplinary authority terminated the services of the petitioner while ordering for recovery of the misappropriated amount of Rs.1,24,552/- from the petitioner, and aggrieved by the same, the petitioner filed appeal and that the appellate authority allowed the appeal and remanded the matter to the disciplinary authority, and during the pendency of this writ petition, the disciplinary authority once again passed order terminating the services of the petitioner while ordering for recovery of Rs.45,400/-, vide order dated 2.5.2015, and therefore, the cause in this writ petition does not survive.

3. Learned Counsel for the petitioner has sought liberty to challenge the order of the disciplinary authority dated 2.5.2015.

4. Recording the above submission made by the learned Standing Counsel, the Writ Petition is closed. The petitioner is at liberty to challenge the order of the disciplinary authority, dated 2.5.2015. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

(ABHINAND KUMAR SHAVILI,J)

25th April, 2018
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25.4.2018

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