

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.6498 OF 2004

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, seeking to issue writ of mandamus declaring the action of the respondents in imposing punishment of annual increments for a period of two years with cumulative effect, vide proceedings, dated 11.01.1995, which was confirmed in the appeal, vide proceedings, dated 19.02.2004, as illegal and contrary and consequently to set aside the same.

2. Heard Sri S.M.Subhan, learned counsel for petitioner and Sri B.Mayur Reddy, learned standing counsel for the respondents.

3. It is the case of the petitioner that he was appointed as driver during 1992. While he was discharging duties during May, 1993, he caused accident. The respondents without looking into the matter, removed the petitioner from service, vide orders, dated 22.12.1993 and the same was confirmed by the appellate authority. Thereafter, he preferred review and the revisional authority on consideration of all the factors, vide order, dated 11.01.1995 ordered reinstatement of the petitioner into service, but imposed punishment of deferment of annual increments for a period of 2 years with cumulative effect. Challenging the same, the present writ petition is filed.

4. It has been contended by the learned counsel for the petitioner that the revisional authority ought not to have imposed punishment of deferment of annual increments for a period of 2 years with cumulative effect.

5. Learned standing counsel for the respondents contended that the revisional authority rightly imposed punishment of deferment of annual increments for a period of 2 years with cumulative effect for the proven misconduct and no irregularity has been committed by the authority in imposing the said punishment.

6. This Court having considered the rival contentions made by both parties, is of the considered view that the revisional authority rightly imposed punishment of deferment of annual increments for a period of 2 years with cumulative effect for the proven misconduct in the enquiry and no irregularity is found in the orders passed by the revisional authority calling for interference of this Court.

7. Accordingly, the writ petition is dismissed. No order as to costs. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

ABHINAND KUMAR SHAVILI, J

DATED:12-10-2018
Hsd