

THE HON'BLE SRI JUSTICE M. GANGA RAO

WRIT PETITION No.18253 of 2001

ORDER:

The petitioner working as Senior Manager in the 1st respondent company filed this writ petition being aggrieved by the order passed in proceedings No.MDN/PER/PF-0045/2001 dated 2.6.2001 of the 2nd respondent whereby the petitioner was prematurely retired from service under Rule 35(a) of Midhani Conduct, Discipline and Appeal Rules, instead of retiring him on attaining the age of superannuation on 31.12.2001.

The petitioner while working as Senior Manager was issued order dated 20.8.1998 directing him to improve his performance and also attend counseling for improvement, failing to improve the performance, he will be retired from service under Rule 35(a) of the Midhani Conduct, Discipline and Appeal Rules. When the petitioner failed to improve his performance, based on the annual confidential reports, the impugned order dated 2.6.2001 is passed under rule 35(a) of Midhani Conduct, Discipline and Appeal Rules by giving three months pay and allowances in lieu of three months notice period and he was asked to retire from the service of the company with immediate effect though his superannuation was due on 31.12.2001. Accordingly a crossed cheque bearing No.012391 dated 2.6.2001 for a sum of Rs.69, 282/- was issued. Aggrieved by the same, this writ petition is filed in the year 2001.

Learned counsel for the petitioner submits that in spite of addressing several letters to the petitioner, he could not contact the petitioner. In those circumstances, he made his submission

that the writ petition may be closed giving liberty to the petitioner to agitate before the competent forum, as per law, if he has any grievance.

Accordingly, this Writ Petition is closed giving liberty to the petitioner to agitate before the competent forum, as per law, if the petitioner has still any grievance. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M. GANGA RAO

Date: 17/07/2018

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