

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

WRIT PETITION No.28201 of 2018

ORDER: (ORAL)

(Per Suresh Kumar Kait, J)

Vide the present writ petition, petitioner has challenged order dated 23.02.2018 passed in O.A.No.322 of 2018, by the A.P. Administrative Tribunal, Hyderabad, whereby the learned Tribunal, while declining to pass interim orders, issued notice to the respondents.

The case of the petitioner is that, for the alleged misconduct of the year 2010-11, charge memos dated 31.05.2013 and 01.07.2013 were issued to him, whereas he retired from service on 31.01.2014.

Learned counsel for the petitioner submits that respondents have no authority to issue charge memos with regard to the alleged misconduct of the year 2010-11. He further submits that, thereafter, the respondents have not proceeded against the petitioner and the present petition may be disposed of by directing the respondents to complete the enquiry within a period of six months.

It is not in dispute that the charge memos dated 31.05.2013 and 01.07.2013 were issued to the petitioner and thereafter no further proceedings are forthcoming.

Similar issue came before this Court in W.P.No.24074 of 2017, wherein this Court, by order dated 15.02.2018, directed the respondents to complete the enquiry within a period of six months from the date of the order.

Since the charge memos are of the year 2013 and the petitioner is not paid gratuity and full pension, we dispose of the present petition directing the respondents to complete the disciplinary proceedings initiated against the petitioner within a period of six months from the date of receipt of this order, failing which the charge memos dated 31.05.2013 and 01.07.2013 shall stand quashed. Consequently, O.A.No.322 of 2018 stands disposed of. No order as to costs.

As a sequel, miscellaneous petitions, if any pending, shall stand closed.

SURESH KUMAR KAIT, J

ABHINAND KUMAR SHAVILI, J

August 09, 2018
MRR

