

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.28318 OF 2018

DATED :20.08.2018

Between :

B. Mallikarjuna Prasad, S/o.B.V.Ramana,
Aged about 40 yrs, Occu : Record Assistant,
R/o.LIG-37, Srisailam Devasthanam,
Srisailam, Kurnool District.

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Petitioner

And

Sree Bhramaramba Mallikarjuna Swamy Temple,
Srisailam, rep., by its Executive Officer,
Sri Sailam, Kurnool District & others.

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Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner and learned Government Pleader and learned Standing counsel for respondent No.1.

2. By order dated 03.06.2017 petitioner is visited with punishment of deferment of two annual increments with cumulative effect and recovery of Rs.3,30,000/-. Against this order appeal lies to the Commissioner.

3. Learned counsel for the petitioner contends that appeal was preferred before the Commissioner. As no proof of filing of appeal is placed on record, learned Standing counsel as well as learned Government Pleader were directed to obtain instructions.

4. Learned Standing counsel as well as learned Government Pleader informs the Court that no appeal was preferred by the petitioner.

5. At this stage, learned counsel for the petitioner seeks leave to forward a copy of the appeal which is appended to the writ petition material paper book at Page No.65 and also seeks stay of further recovery.

6. Having regard to the above submission, if petitioner furnishes copy of appeal dated 17.07.2017 to the Executive Officer, Sree Bhramaramba Mallikarjuna Swamy Temple, Srisailam, within one (1) week from today, he shall forward the same with his remarks to the Commissioner for Endowments, Government of

Andhra Pradesh. On receipt of copy of appeal, the Commissioner shall consider the same and pass appropriate orders, as warranted by law, within eight (8) weeks thereafter. If such copy of appeal is made available to the Executive Officer within one week from today, the respondents are directed not to effect further recovery till the appeal is disposed of by the appellate authority. However, it is made clear that if no copy of appeal is furnished to the Executive Officer as directed above, the stay granted shall automatically stands vacated.

7. With the above direction, the Writ Petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed.

20th August, 2018
Rds

P.NAVEEN RAO,J

