

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION NO.35191 OF 2018

ORDER: (per SK,J)

The petitioner is the unsuccessful applicant in O.A.No.1192 of 2018 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad. His grievance therein was that the appellate authority had not considered and disposed of the appeal dated 29.06.2017 preferred by him against the proceedings dated 27.01.2017 passed by the District Collector (Panchayat Wing), Ongole, Prakasam District. By the said proceedings, the District Collector, being the disciplinary authority, imposed the punishment of stoppage of one increment without cumulative effect upon the petitioner-applicant. By order dated 25.06.2018, the Tribunal dismissed the O.A. being of the opinion that the appellate authority could not be hustled to dispose of the matter as the petitioner-applicant was in service and was getting all emoluments.

It may however be noted that Rule 26 of the Andhra Pradesh State and Subordinate Service Rules, 1996, prescribes that an appeal against any condition of service should be disposed of within a maximum period of one year.

That being so, we find no reason as to why the appellate authority, the Commissioner and Director of Panchayat Raj and Rural Development, Andhra Pradesh, should continue to keep the petitioner-applicant's appeal dated 29.06.2017 pending.

The writ petition is accordingly disposed of directing the Commissioner and Director of Panchayat Raj and Rural Development,

Andhra Pradesh, the appellate authority, to pass appropriate orders on the petitioner-applicant's appeal dated 29.06.2017 on its own merits and in accordance with law within four weeks from the date of receipt of a copy of this order, if not already passed.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR,J

Date:28.09.2018

GJ

M.GANGA RAO,J

