

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

WRIT PETITION NO.47205 OF 2018

ORDER: (per SK,J)

The petitioner is the applicant in O.A.No.2593 of 2018 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad, which was dismissed while directing the State of Andhra Pradesh and its Commissioner, Prohibition and Excise Department, to sanction 80% of the retirement gratuity payable to the petitioner-applicant within a time frame. Aggrieved by the failure on the part of the Tribunal to direct completion of the enquiry pending against him within a time frame, the petitioner-applicant is before this Court by way of the present writ petition.

The petitioner-applicant retired on 30.06.2013 from the service of the State of Andhra Pradesh as a Prohibition and Excise Inspector in Chittoor District, upon attaining the age of superannuation. Prior to his retirement, he was subjected to disciplinary proceedings under Charge Memo dated 11.06.2013.

It is fairly conceded by the learned Assistant Government Pleader for Services, State of Andhra Pradesh, appearing for the respondents, that the enquiry officer who was initially appointed resigned from that office and the enquiry was thereafter commenced under another enquiry officer. He would further state that the enquiry is pending as on date.

As the petitioner-applicant retired from service as long back as in June, 2013, it is not open to the authorities to sleep over the matter at his cost and prolong his agony. Be it noted that it is only as per the order of the Tribunal that 80% of his retirement gratuity is now to be paid to him within a time frame.

The writ petition is accordingly disposed of directing the respondents to ensure that the disciplinary proceedings initiated against the petitioner-applicant pursuant to the Charge Memo dated 11.06.2013 is concluded expeditiously and in any event, not later than three months from the date of receipt of a copy of this order.

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

SANJAY KUMAR,J

M.GANGA RAO,J

Date:28.12.2018

GJ

