

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

WRIT PETITION No. 44414 of 2017

ORAL ORDER: *(Per the Hon'ble Sri Justice Suresh Kumar Kait)*

Vide the present petition, petitioner has assailed order dated 20.06.2017 passed by the A. P. Administrative Tribunal, Hyderabad in O.A.No.1568 of 2017 whereby the application filed by the petitioner under Section 19 of the Administrative Tribunals Act, 1985 praying the Tribunal to set aside the proceedings bearing No.APSPF/A3/PR/03/2017, O.O. No.205/2017 dated 17.05.2017 was dismissed by giving liberty to the petitioner to pursue his remedies against the impugned removal order by filing an appeal before the competent appellate authority under Rule 33 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 within the period of limitation.

Pursuant to the aforesaid order passed by the Tribunal, the petitioner made an appeal to the 2nd respondent/appellate authority on 19.09.2017. However, no decision so far has been taken by the 2nd respondent till date.

Since the appeal filed by the petitioner is pending before the 2nd respondent/appellate authority, we are not inclined to entertain the present petition. Therefore, we dispose of the writ petition directing the 2nd respondent/appellate authority to take a decision on the appeal filed by the petitioner on 19.09.2017 within a period of four (4) weeks from the date of receipt of a copy of this order. We hereby make it clear that the

2nd respondent/appellate authority shall take a decision keeping in view the fact that the allegations levelled by the petitioner against the senior officers are not related to his employment and discharge of his official duty. We also make it clear that if copy of the appeal is not with the 2nd respondent, he may ask the petitioner in writing to furnish another copy.

Consequently, miscellaneous applications if any pending in the writ petition shall stand closed. No order as to costs.

SURESH KUMAR KAIT, J

ABHINAND KUMAR SHAVILI, J

6th February, 2018
cbs



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