

W.P.No.1534 of 2019**K.K.SASIDHARAN,J.****AND****P.T.ASHA,J.**

(Order of the Court was made by K.K.SASIDHARAN,J.)

This matter is posted today under the caption 'for being mentioned' pursuant to the request made by the learned counsel for the petitioner indicating certain factual mistakes while drafting the order.

2. In paragraph No.18 of the order dated 17.07.2019, we have wrongly indicated that the punishment is modified into one of reduction in pay scale for a period of two years without cumulative effect, instead of modifying the punishment into one of withholding of increment for a period of one year without cumulative effect.

3. Since it was only a factual error, we are modifying paragraph Nos.17 and 18 as follows: सत्यमेव जयते

"17. The punishment of reduction in the pay scale for a period of two years with cumulative effect would have a cascading effect. We are of the view that on account of the peculiar background facts interest of justice would be subserved by modifying the punishment into one of withholding of increment for a period of one year without cumulative effect.

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AND
P.T.ASHA,J.

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18. The order dated 9 January 2012 and the related appellate order dated 11 August 2016 are modified as below.

"The punishment awarded by the Disciplinary Authority is modified into one of withholding of increment for a period of one year without cumulative effect."

4. The order dated 17.07.2019 is modified as indicated above.

(K.K.SASIDHARAN.,J) (P.T.ASHA.,J)

26.08.2019

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Note:

Registry is directed to carry out necessary corrections and issue fresh order copy.

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