

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.471 OF 2019

ORDER :

This writ petition is filed seeking a writ of mandamus to declare the impugned proceedings dated 16.03.2018 of the 1st respondent dismissing the petitioner from service as highly illegal, arbitrary, unreasonable, discriminatory and also in violation of Articles 14,16 & 21 and declare the same as bad in law and set aside the same and sought for a consequential direction to the respondents to reinstate the petitioner in service and release all retiral benefits for which the petitioner is entitled, with all consequential benefits.

Heard Sri C.Raja Sekhar Reddy, learned counsel for the petitioner and Sri S.Surender Reddy, learned Standing counsel for respondents.

It has been contended by the petitioner that initially he was appointed as a special category Assistant vide proceedings dated 05.03.2009. While the petitioner was working as Assistant Manager, the 1st respondent had initiated disciplinary proceedings and after conducting detailed enquiry, 1st respondent had dismissed the petitioner vide proceedings dated 16.03.2018. Aggrieved by the same, petitioner had preferred an appeal to the appellate authority on 15.04.2018 and the said appeal is still pending and the 2nd respondent is the appellate authority. The grievance of the petitioner is that though the petitioner had preferred an appeal almost nine months ago, the 2nd respondent is not disposing of the said appeal and during the pendency of the appeal, petitioner has attained the age of superannuation, and terminal benefits of the petitioner were not released. Counsel for the petitioner contends that appropriate

orders be passed in the writ petition directing the 2nd respondent to dispose of the appeal preferred by the petitioner as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order.

Learned Standing counsel for respondents contended that the appellate authority will consider the appeal preferred by the petitioner and pass appropriate orders in accordance with law.

This Court, having considered the rival submissions of both the parties is of the considered view that this writ petition can be disposed of directing the 2nd respondent to dispose of the appeal preferred by the petitioner on 15.04.2018 within a period of two months from the date of receipt of a copy of this order.

With these observations, writ petition is disposed of. There shall be no order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.

ABHINAND KUMAR SHAVILI,J

Date: 21.01.2019
dv

