

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.3222 of 2019

ORDER :

This writ petition is filed seeking a Writ of Mandamus declaring the inaction of the respondent No.2 in considering the appeal filed by the petitioner dated 10.10.2018 against the punishment Memo dated 26.09.2018 issued by respondent No.1, as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India, and sought a consequential direction to the respondent No.2 to forthwith dispose of the appeal preferred by the petitioner.

Heard Sri Kowturu Pavan Kumar, learned counsel for the petitioner, and Sri Zakir Ali Danish, learned Standing Counsel appearing for the respondents.

It has been contended by the petitioner that he was working as a Senior Assistant in the 1st respondent Company and while he was discharging his duties as such, the disciplinary authority i.e., the 1st respondent had imposed the punishment of fixing of pay in the minimum of time scale of Senior Assistant for a period of eight years vide proceedings dated 26.09.2018. Aggrieved by the same, the petitioner has preferred an appeal before the 2nd respondent on 10.10.2018.

Learned counsel for the petitioner contends that the appellate authority is neither disposing of the appeal preferred

by the petitioner nor passing any orders in the said appeal and, therefore, contends that appropriate orders be passed in the writ petition directing the 2nd respondent i.e., the appellate authority to consider the appeal preferred by the petitioner and pass appropriate orders in accordance with law.

Learned Standing Counsel appearing for the respondents had submitted that the appellate authority will consider the appeal preferred by the petitioner and appropriate orders would be passed in accordance with law.

This Court, having considered the rival submissions made by the respective parties, is of the considered view that this writ petition can be disposed of directing the 2nd respondent, who is the appellate authority, to dispose of the appeal dated 10.10.2018 preferred by the petitioner and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, in this writ petition shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

19.02.2019.
Msr

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