

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.3514 of 2019

ORDER :

This writ petition is filed seeking Writ of Mandamus declaring the action of the respondents in suspending the petitioner with effect from 12.07.2018 vide proceedings Rc.No.2284/2018/M1, dated 12.07.2018 issued by respondent No.3 and keeping the petitioner under suspension for more than six months without framing any charges or conducting any enquiry, as arbitrary and illegal, and consequently sought a direction to the respondents to reinstate the petitioner into service with all consequential benefits with continuity of service and all attendant benefits.

The petitioner was appointed as a Junior Assistant in the year 1998 and later promoted as a Forest Deputy Range Officer in the year 2011. While working as Forest Deputy Range Officer, the 3rd respondent has placed the petitioner under suspension vide proceedings Rc.No.2284/2018/M1, dated 12.07.2018. The grievance of the petitioner is that inspite of lapse of six months, the respondents are neither paying any subsistence allowance nor reviewing the suspension orders in terms of G.O.Ms.No.86, dated 08.03.1994.

Heard Sri K. Laxmi Manohar, learned counsel for the petitioner and the learned Government Pleader for Services.

Learned counsel for the petitioner contends that though six months have elapsed after suspending the petitioner from service, the respondents are not reviewing the said suspension order in terms of G.O.Ms.No.86, dated 08.03.1994. Learned counsel for the petitioner, therefore, contends that appropriate orders be passed in the writ petition directing the respondents to review the impugned suspension order dated 12.07.2018 issued against the petitioner in terms of G.O.Ms.No.86, dated 08.03.1994.

On the other hand, the learned Government Pleader for Services contends that the case of the petitioner will be considered and appropriate orders would be passed in terms of G.O.Ms.No.86, dated 08.03.1994.

This Court, having considered the rival submissions of the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing respondents to consider the case of the petitioner for reviewing the impugned suspension order dated 12.07.2018 issued against him strictly in terms of G.O.Ms.No.86, dated 08.03.1994, and pass appropriate orders in accordance with law within a period of four (4) weeks 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

21.02.2019.
Msr



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