

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION (TR) NO.1980 OF 2017

ORDER:

This writ petition is filed challenging the suspension orders dated 05.10.2013 on the ground that the petitioner was arrested in Cr.No.145 of 2012 of P.S. Maheshwaram for the offences under Sections 417, 420, 468, 471 and 109 of IPC on 12.06.2013 and thereafter he was sent for judicial custody.

The grievance of the petitioner is that though it is almost more than 5 ½ years he was placed under suspension, his suspension orders are not being reviewed even though the competent Criminal Court has acquitted him of the said criminal charge on 05.02.2018 in C.C.No.208 of 2015. The petitioner further submits that he has submitted a representation to the respondents on 19.10.2018 requesting them to review the suspension orders and reinstate him into service by revoking the suspension orders.

Learned counsel for the petitioner contends that appropriate orders be passed in the writ petition directing the respondents to consider the representation of the petitioner and revoke the suspension order in accordance with law. Learned counsel for the petitioner further submits that subsistence allowance is not being paid and, only on that ground, the suspension orders are liable to be set aside.

Learned Government Pleader for Services-II submits that appropriate orders would be passed on the representation of the petitioner, in accordance with law.

This Court, having considered the rival submissions made by the learned counsel for the parties, is of the considered view that this writ

petition can be disposed of directing the respondents to consider the representation dated 19.10.2018 of the petitioner and pass appropriate orders therein, and also to pay subsistence allowance to the petitioner for the period he was placed under suspension, in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With these directions, the writ petition is disposed of. No order as to costs.

Consequently, miscellaneous petitions pending, if any, shall stand closed.

25th January, 2019
v v

ABHINAND KUMAR SHAVILI, J