

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.9410 of 2019

ORDER:

This Writ Petition is being disposed of at the admission stage with the consent of both the parties.

2. This Writ Petition is filed seeking a Writ of Mandamus declaring the action of the respondents in not finalizing the disciplinary proceedings issued in charge memo, dated 04-06-2005, and the enquiry officer's report submitted on 16-02-2018 as arbitrary, illegal and unconstitutional and sought consequential direction to the respondents to conclude disciplinary proceedings and pass final orders on the said report submitted by the enquiry officer, and in view of the inordinate delay of 14 years, to regularize the suspension period from 13-12-2004 to 13-02-2006 as 'on duty' and to pay the periodical increments due to him for the year 2004-05 to 2005-06 and 22 years' advancement increment in view of his retirement on 31-05-2019 so as to enable to fix his pension with all consequential benefits.

3. Heard Sri S.Surender Reddy, learned counsel for the petitioner and the learned Government Pleader for Services-II, appearing for the respondents.

4. The petitioner contends that he is working as Extension Officer with the respondents and the respondents have initiated

disciplinary action way back in 2005 and he was placed under suspension on 13-12-2004 and the suspension orders were revoked on 13-02-2006. Though 14 years have elapsed, the respondents have not concluded the said disciplinary proceedings. He further contends that the enquiry officer submitted report after conducting detailed enquiry on 16-02-2018. In spite of the same, the disciplinary authority has not concluded the said proceedings against the petitioner. He further contends that as he is retiring on attaining the age of superannuation on 31-05-2019, if disciplinary proceedings are not concluded before his retirement, he would be put to irreparable loss and hardship.

5. Learned Government Pleader for Services-II appearing for the respondents submits that the disciplinary proceedings would be concluded within a period of two months from the date of receipt of a copy of this order.

6. Accordingly, the Writ Petition is disposed of directing the respondents to conclude the disciplinary proceedings initiated against the petitioner within a period of two months from the date of receipt of a copy of this order. No costs.

7. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 30-04-2019
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