

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.(TR)No.737 of 2017

ORDER

This writ petition is filed seeking the following relief:

“.....to set aside the order of the second respondent bearing proc.C.No.151/APP/99, D.O No.718/99, dt 15.12.1999 in imposing the punishment of compulsory retirement from service for mere absence even though the period of absence was covered by the Medical Certificates and further action of the first respondent in not disposing of the statutory Revision Petition of the applicant as illegal and consequently direct the respondents to treat the applicant as in service till the date of his retirement on superannuation and pass such other order or orders as this Hon'ble Court deems fit and proper under the circumstances of the case.”

Heard Smt Bhagya Laxmi, learned counsel appearing for the petitioner, and learned Government Pleader for Services-II appearing for the respondents.

It is the case of the petitioner that he was appointed as Police Constable in the year 1970 and was posted at Khammam District. Thereafter, he was promoted as Head Constable. While so, during 1997, the disciplinary authority had initiated disciplinary proceedings against the petitioner on the ground that he had absented to his duties. After conducting regular enquiry, the disciplinary authority has

imposed a major punishment of dismissal from service *vide* order dated 1.7.1999. Aggrieved by the same, the petitioner had preferred an appeal before the appellate authority. The appellate authority *vide* order dated 15.12.1999 modified the punishment of dismissal to that of compulsory retirement from service. Thereafter, the petitioner has preferred a revision before the 1st respondent on 8.12.2000. But, so far, no orders have been passed by the 1st respondent.

Learned counsel appearing for the petitioner contended that appropriate orders be passed in the writ petition directing the 1st respondent to consider and pass appropriate orders on the revision preferred by the petitioner.

Learned Government Pleader appearing for the respondents contended that since the revision preferred by the petitioner is pending before the 1st respondent, the 1st respondent would consider and pass appropriate orders thereon within a reasonable period.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that this writ petition can be disposed of directing the 1st respondent to consider the revision preferred by the petitioner on 8.12.2000, and pass appropriate orders in accordance with

law within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

30th October, 2019
rkk

