

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.12948 of 2019

ORDER:

With the consent of both the parties, this Writ Petition is disposed of at the admission stage.

This Writ Petition is filed for the following relief:

“.....Writ of Mandamus, directing the respondents to regularize the petitioner's suspension period from 6-6-2008 to 16-8-2009 by treating the said period as on duty with full pay and allowances by taking into consideration of GO.Rt.No.626 dated 4-9-2018 wherein the 1st respondent was pleased to set aside the minor punishment orders dated 23-2-2018 issued by the 2nd respondent with all consequential benefits, by holding the action of the respondents in not regularizing the petitioner's suspension period as on duty with full pay and allowances having being set aside the minor punishment orders dated 23-2-2018, as illegal, arbitrary, discriminatory and subversive of Articles 14, 16 of the Constitution of India.....”

Heard Sri Ch.Jagannatha Rao, learned counsel for the petitioner and the learned Government Pleader for Services-II.

It has been contended by the petitioner that she has been working as MPDO at Kamanpur Mandal, Karimnagar District. While the petitioner was discharging her duties, she was placed under suspension vide proceedings dated 06.06.2008 on the alleged ground that she has misappropriated EGS-Funds. Later on, the District Collector had conducted a detailed enquiry and imposed a minor penalty of withholding one increment without cumulative

effect against the petitioner. Aggrieved by the same, the petitioner preferred an appeal before the 1st respondent and the 1st respondent was pleased to allow the appeal vide G.O.Rt.No.626 dated 04-09-2018 setting aside the minor penalty imposed by the disciplinary authority. Thereafter, the petitioner had submitted a representation to the 2nd respondent requesting him to regularize the suspension period by treating it as “on duty” with full pay and allowances. Accordingly, the 2nd respondent recommended the case of the petitioner to the 1st respondent through letter dated 25-03-2019. But so far the 1st respondent has not passed any orders.

Learned counsel for the petitioner submits that appropriate orders be passed in the writ petition directing the 1st respondent to pass appropriate orders on the recommendations made by the 2nd respondent and further direct the 1st respondent to regularize the suspension period of the petitioner by treating it as “on duty” with full pay and allowances.

This Court having considered the rival submissions made by the learned counsel on either side, is of the considered view that this writ petition can be disposed of directing the 1st respondent to pass appropriate orders on the recommendations made by the 2nd respondent on 25.03.2019 after duly considering her suspension period as “on duty”

with full pay and allowances, within a period of eight weeks from the date of receipt of copy of this order.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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

ABHINAND KUMAR SHAVILI, J

27.06.2019
dv

