

**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**WRIT PETITION No.25116 of 2019**

**ORDER:**

Heard Sri R.Rajasekhar Rao, learned counsel for the petitioner and the learned Government Pleader for Services-I. With the consent of both the counsel, this writ petition is being disposed of at the admission stage.

This writ petition is filed seeking the following relief :-

“.....Writ Of Mandamus or any other Writ order or direction from the Hon'ble Court, to declare the action of the Respondents in not regularising the suspension period from 20.06.1998 to 08.08.2011 as on duty for all purposes in view of acquittal in the criminal case by the competent criminal court in CC No.1 of 2013, dated 14.10.2015 on the file of Principal Special Judge for SPE and ACB Cases, Nampally, Hyderabad as per FR 54-B as illegal, arbitrary, unconstitutional and void and consequently direct the Respondents to treat the suspension period from 20.06.1998 to 08.08.2011 as on duty for all purposes with all consequential benefits and to pass such other order or orders.....”

It has been contended by the petitioner that he has been working as Superintendent with the respondents. The grievance of the petitioner is that while he was discharging his duties, he was placed under suspension vide proceedings dated 20.06.1998 on the ground that a criminal case in CC.No.1 of 2013 was registered against him and he was continued under suspension till 08.08.2011.

Learned counsel for the petitioner contends that the criminal case registered against the petitioner in CC.No.1/2013 was ended in acquittal by the competent criminal court vide order

dt.14.10.2015 on the file of Principal Special Judge for SPE and ACB Cases, Nampally Hyderabad. In spite of petitioner being acquitted in the said criminal case, the respondents are not regularising the suspension period of the petitioner in terms of Fundamental Rule 54-B. He further contends that though petitioner had submitted a representation to the respondents on 20.01.2016, the respondents have not passed any orders on the said representation nor considered the case of the petitioner for regularisation of suspension period.

Learned Government Pleader appearing for the respondents had contended that the 1<sup>st</sup> respondent vide proceedings dated 19.08.2016 has recommended the case of the petitioner to the 2<sup>nd</sup> respondent for regularization of the suspension period and the same is pending before the 2<sup>nd</sup> respondent. He further contends that since the proposals sent by the 1<sup>st</sup> respondent are pending before 2<sup>nd</sup> respondent, the 2<sup>nd</sup> respondent would consider the same and pass appropriate orders within a reasonable period of time.

This Court, having regard to the rival submissions made by learned counsel appearing for the respective parties, is of the considered view that this writ petition can be disposed of directing the 2<sup>nd</sup> respondent to consider the proposals submitted by the 1<sup>st</sup> respondent on 19.08.2016 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.

With the above observations and direction, this writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

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**ABHINAND KUMAR SHAVILI, J**

Date: 15-11-2019  
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