

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.25541 of 2019

ORDER:

Heard Sri P.Amarender, learned counsel for the petitioner and the learned Government Pleader for Services-II. With the consent of learned counsel for the respective parties, this Writ Petition is disposed of at the admission stage.

This writ petition is filed seeking the following relief :-

“.....Mandamus to declare the action of the Respondents in not regularizing the suspension periods of the petitioner, even though, several years elapsed and not settling his service benefits like pay fixation, increments and revised pay scales and also half salary during the suspension period and making inordinate delay as illegal, arbitrary and violative of Articles 14, 16 & 21 of the Constitution of India and consequently, direct the Respondents to regularize the suspension period of the petitioner and accord all service benefits like pay fixation, increments and revised pay scales and also half salary during the suspension along with monetary benefits, with interest and to pass any such order or orders”

It has been contended by the petitioner that he has been working as Panchayat Secretary and discharging his duties to the best satisfaction of his superiors and every one concerned. While so, he was placed under suspension on 25.09.2003 and the said suspension orders were revoked on 09.01.2004. Again on 11.08.2005, the petitioner was placed under suspension and was reinstated on 31.01.2008. Petitioner further contends that he was once again placed under suspension on 20.04.2015 and reinstated into service on 06.09.2017. The grievance of the

petitioner is that respondents have not regularised his suspension period in accordance with the Rules. Therefore, he submitted a representation on 05.08.2019 requesting the respondents to regularise the suspension period and pay all service benefits such as pay fixation, increments, and revised pay scales etc. But so far, the respondents have not passed any orders on the said representation or regularised the suspension period in accordance with Rules.

Learned counsel for the petitioner contends that appropriate orders be passed in this writ petition directing the respondents to consider the representation submitted by the petitioner on 05.08.2019 and pass appropriate orders in accordance with Rules, within a reasonable period of time.

Learned Government Pleader appearing for the respondents contends that the respondents would consider the representation submitted by the petitioner on 05.08.2019 and pass appropriate orders, in accordance with the Rules.

This Court, having considered the rival submissions of the learned counsel appearing for the respective parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation submitted by the petitioner on 05.08.2019 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, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 20-11-2019
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