

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.27400 of 2019

ORDER:

This writ petition is disposed of at the stage of admission with the consent of learned counsel for the respective parties.

This writ petition is filed seeking the following relief :-

“....to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus to declare the action of the 2nd respondent in not passing any orders on the review petition filed by the petitioner on 06/01/2016, as being illegal, arbitrary, unjust and against the principles of natural justice and consequently direct the respondents to allow the petitioner into duties along with all consequential benefits”.

Heard Mr.G.Rajesh, learned counsel for petitioner and Sri N.Vasudeva Reddy, learned Standing Counsel for the respondents.

It has been contended by the petitioner that he was appointed as a driver with the respondent Corporation in the year 1992 and while discharging duties as such, the disciplinary authority has imposed punishment of removal on the alleged ground that he was unauthorizedly absent from 02.05.2014 to 03.07.2014. Thereafter, the petitioner has unsuccessfully preferred an appeal and later filed a review petition on 06.01.2016.

The grievance of the petitioner is that though he filed the review petition on 06.01.2016, the respondents are not passing any orders on the said review petition.

Learned counsel for petitioner contends that appropriate orders be passed directing the respondents to consider the review

petition filed by the petitioner on 06.01.2016 and pass appropriate orders in accordance with law.

Learned Standing Counsel appearing for the respondents has contended that from a perusal of the copy of the review petition, which is filed along with the writ petition, it is evident that the petitioner has filed only a representation and not a review petition in the correct format and if the petitioner files a review petition in the correct format, the case of the petitioner would be considered by the respondents and appropriate orders would be passed in accordance with law.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the petitioner to submit a review petition afresh in the correct format within two weeks from the date of receipt of a copy of this order. Upon such review petition being received, the respondents shall consider the same and pass appropriate orders in accordance with law within a period of eight weeks thereafter.

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 SHAVIL, J

Date: 11-12-2019
Prv

